

**CITY OF NEWPORT BEACH**

**STAFF REPORT**

March 3, 2011 Hearing

Agenda Item 3

**SUBJECT:** Jamboree Chevron - (PA2008-165)  
1550 Jamboree Road  
▪ Use Permit No. UP2008-051

**APPLICANT:** Terrible Herbst, (Steven Dahlberg, SDA Partnership USA, Architech)

**PLANNER:** Kay Sims, Assistant Planner  
(949) 644-3237, ksims@newportbeachca.gov

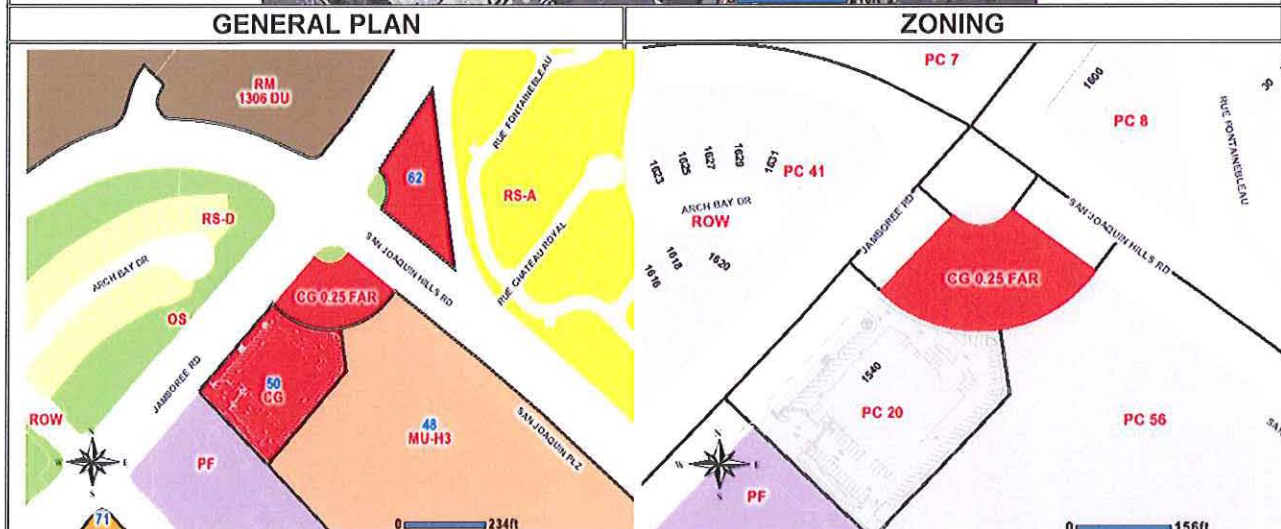
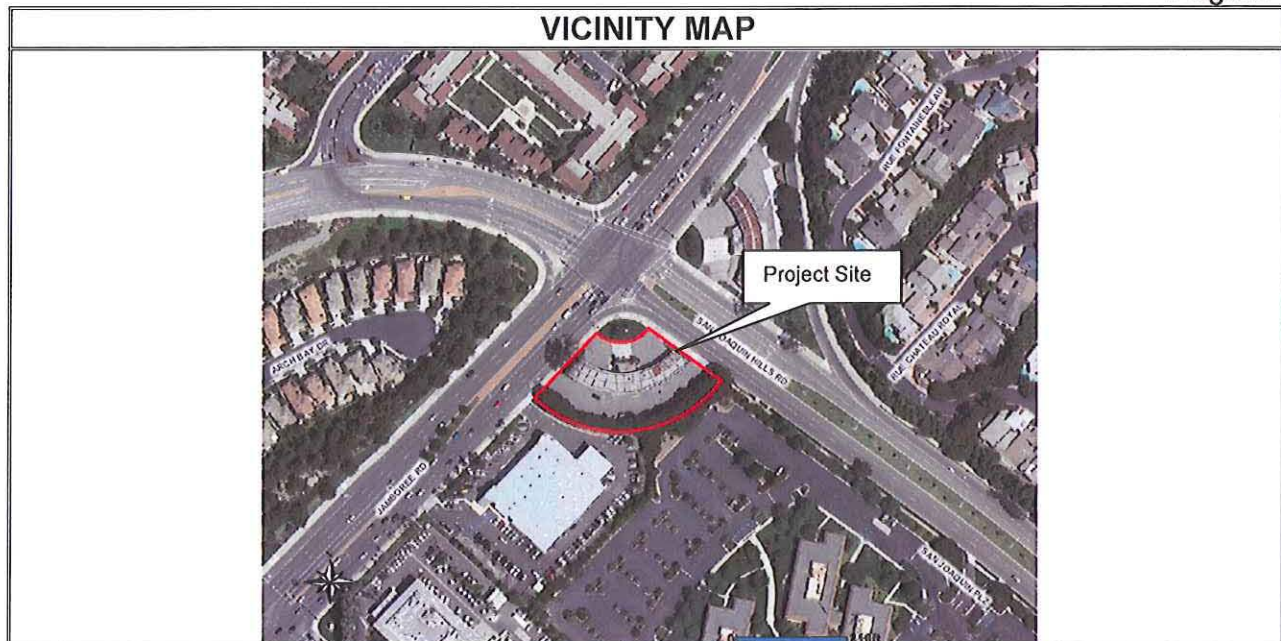
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**PROJECT SUMMARY**

The application consists of a conditional use permit to allow the following design and operation changes to an existing service station: demolition of three, unused service bays to increase the floor area of the existing convenience market; introduction of off-site beer and wine sales (Type 20); the addition of an automated car wash; removal of an existing office/storage building and trash enclosure; construction of a new trash enclosure; the addition of landscaping areas; and related interior and exterior improvements. The application also includes a modification or waiver of the landscaping standards of the Zoning Code to allow fewer trees and shrubs than required.

**RECOMMENDATION**

1. Conduct a public hearing, and
2. Adopt Resolution No. \_\_\_\_approving Use Permit No. UP2008-051 (Attachment No. PC 1).



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	General Commercial (CG)	Commercial General (CG)	Chevron Service Station
NORTH	Multiple-Use Residential (RM 1306 DU)	Park Newport Planned Community (PC-7)	Apartments
SOUTH	Commercial and Mixed-Use Horizontal (CG and MU-H3)	Land Rover Planned Community & North Newport Center Planned Community (San Joaquin Plaza) (PC-20 and PC-56)	Automobile Sales and Service & Office Complex with Surface Parking Areas
EAST	Commercial (CG) and Single-Unit Residential Attached (RS-A)	Big Canyon Planned Community (PC-8)	Shell Service Station and Single-Unit Residential Dwellings, Attached
WEST	Single-Unit Residential Detached (RS-D)	Newporter North Planned Community (PC-41)	Single-Unit Residential Dwellings

## **INTRODUCTION**

### **Project Setting and Background**

The subject site (43,314 square feet in area, 0.99 acres) is located on the southeast corner of the intersection of Jamboree Road and San Joaquin Hills Road. The site is a quarter-circle in shape due to the arc of the rear property line. It is generally flat, slightly higher than street level, and slopes upward along the rear property line on the easterly side, which is adjacent to a large surface parking lot located on the adjacent property. Mature evergreen trees are located along the entire length of the rear property line. A large (2,905 square feet) semi-circular-shaped, landscaped area at the corner of the site is a separate parcel that is a part of the North Newport Center Planned Community (San Joaquin Plaza sub-area).

The Land Rover (Jaguar/Aston Martin) auto dealership is located adjacent to the rear property line facing Jamboree Road. The San Joaquin Hills Plaza office complex is also located adjacent to the rear property line of the subject site, abutting the Land Rover site, facing San Joaquin Hills Road. A Shell service station and residential developments (Big Canyon) are located to the north of San Joaquin Hills Road. Residential developments are located to the west of Jamboree Road (Harbor Cove) and north of San Joaquin Hills Road (Park Newport).

The subject site is currently developed with a Chevron service station, which was permitted in 1970, with approval of UP1496. The service station was constructed prior to the City's adoption of specific development standards for automobile service stations (Ordinance No. 1411, 1972). In most areas, the service station meets or exceeds the development standards required of new service stations. It consists of a service station building (2,449 square feet) and a semi-circular shaped canopy (6,923.8 square feet) covering four fuel service islands, each with four fueling spaces (16 fueling spaces total). A small office/storage building and trash enclosure, located to the rear of the property, were permitted in 1986, with approval of Use Permit No. UP1496A. Eighteen parking spaces are provided facing the landscaped areas adjacent to the rear property line. Vehicular access to the site is provided via four driveways, two adjacent to Jamboree Road and two adjacent to San Joaquin Hills Road. The existing service station building houses a cashier, small convenience market area, three unused auto service bays, an employee break room, a mechanical room, and a storage area. The current hours of operation are 24 hours-a-day, seven-days-a-week. Copies of Use Permit Nos. UP1496 and UP1496A are included as Attachment No. PC 2.

### **Project Description**

The applicant is requesting a conditional use permit to allow a complete interior remodel and expansion of the gross floor area of the existing convenience market into the floor

area of the three, unused service bays, introduction of off-site beer and wine sales (Type 20), and construction of an automated car wash building at the rear of the property. The project also includes removal of the office/storage building and trash enclosure, construction of a new trash enclosure, and new finish materials for the exterior of the service station building. Twelve parking spaces for the convenience market and 5 queuing spaces for the car wash will be provided on the site.

The proposed convenience market will occupy the entire gross floor area of the existing service station building (2,256.4 gross square feet). It will consist of a cashier's booth and office, soft drink fountain and coffee area, cold beverage/pre-packaged food refrigerators, merchandise display racks and two restrooms (male and female). No interior or exterior customer seating is proposed. The current hours of operation (24 hours-a-day, seven-days-a-week) are proposed to remain the same.

The office/storage building and trash enclosure located adjacent to the rear of the property will be removed, and a new trash enclosure will be constructed near the exit of the car wash.

The new car wash building (1,661.2 gross sq ft) will be located in the center of the site at the rear of the property, and will accommodate a maximum of two vehicles at any one time. Vehicles will enter the car wash from the westerly side of the building (Jamboree) and exit on the easterly side. Four vacuuming stations will be located adjacent to the parking spaces, which face the rear of the site to the east of the new trash enclosure. A new 6-foot-high sound-barrier wall will be constructed, beginning at the rear corner on the easterly side of the new trash enclosure, and extending along the rear property line to the end of the vacuuming area. The proposed hours of operation for the car wash are 7:00 a.m. until 10:00 p.m., seven-days-a-week.

## **DISCUSSION**

### **Analysis**

#### *General Plan and Zoning Code*

The subject property is located within the General Plan Statistical Area L1 and has a land use designation of General Commercial (CG). The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs. Gasoline stations, convenience stores, and food service establishments are permitted uses within this land use designation. The General Plan allows a maximum 10,828 gross sq. ft. (.25 FAR) for the site (43,314 sq. ft.). The total gross square feet of the proposed project is consistent with the Land Use Element of the General Plan (proposed convenience market - 2,256 sq. ft, proposed car wash - 1,661.2. sq. ft. = 3,917.2 total sq. ft., .09 FAR).



The subject property is located within the Commercial General (CG) Zoning District. Pursuant to Zoning Code Section 20.20.020.A, Table 2-5 (Allowed Uses and Permit Requirements), fuel/service stations are permitted within this zoning district. Pursuant to Section 20.48.210.A (Service Stations, Allowable uses and activities), the proposed convenience market and automated car wash uses are permitted as accessory uses for the service station. Section 20.48.210.T.1 (Permit and Review Procedures, Conditional Use Permit Required) of the Zoning Code requires approval of a conditional use permit (CUP) for an existing service station whenever a request is made for the introduction of any of the accessory uses allowed for service stations, the introduction of alcoholic beverage sales, or any similar change in the operational characteristics of the service station. Pursuant to Zoning Code Section 20.52.020 (Conditional Use Permits and Minor Use Permits), an application for a CUP is subject to review by the Planning Commission, which may approve or conditionally approve the project if facts are found to make the findings required for approval.

The Zoning Code (Section 20.48.210 - Service Stations) lists prohibited uses and activities and provides standards for the location of activities and operations that are allowed to be conducted outside of the service station building. The proposed service station and car wash operation will be consistent with the permitted activities and operations standards.

Specific design and development standards for service stations are also provided in Section 20.48.210 of the Zoning Code. Each standard, as it relates to the proposed project, is discussed in Tables 1 and 2 (Service Station Design and Development Standards and Landscaping Standards), which are included in Attachment No. PC 3.

*Modification or waiver of standards (Section 20.48.210.T.2)*

As noted in Tables 1 and 2 (Attachment No. PC 3), the proposed project complies with the design standards listed, with the exception of the landscaping requirement related to the number of trees and shrubs required adjacent to the street property lines. Pursuant to Section 20.48.210.T.2 (Modification or waiver of standards), the Planning Commission may modify or waive any of the design and development standards upon finding that:

- a. *The strict compliance with the standards is not necessary to achieve the purpose and intent of the design standards section.*

- b. *The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards.*
- c. *The overall site plan and architectural design is consistent with the City of Newport Beach Design Guidelines: Automobile Service Stations and Washing.*

The existing site provides 10 fewer trees adjacent to the street property lines and one less shrub adjacent to the interior property line than required by the landscaping standards. It is staff's recommendation that deviation from the required landscaping standards is justified for the following reasons:

- A greater number of trees and shrubs are provided throughout the site than are required (27 trees required, 33 trees provided; 78 shrubs required, 194 shrubs provided).

The shape of the site and the design and location of the existing service station and proposed car wash are unique to this location. The location, number, and maturity of the existing trees, shrubs, and landscaped areas enhance the overall visual quality of the site. The mature trees adjacent to the semi-circular rear property line provide a buffer from the service operation to the adjacent land uses.

- Although not a part of the subject site, the landscaped area at the corner of Jamboree Road and San Joaquin Hills Road, enhances the overall service station site, and provides a buffer to screen the service station operation.
- Increases to the landscaped areas and plantings adjacent to the service station building are proposed, and additional landscaped areas will be planted adjacent to the proposed car wash building.
- As stated in the discussion above, the overall site plan and architectural design of the existing service station and purposed car wash operation is consistent with the *City of Newport Beach Design Guidelines: Automobile Service Stations and Washing* (see discussion below).

*City of Newport Beach Design Guidelines: Automobile Service Stations and Washing*

Zoning Code Section 20.48.210.M (Site and architectural design) requires that service station developments be consistent with the *City of Newport Beach Design Guidelines: Automobile Service Stations and Washing* (Guidelines). The Guidelines, adopted May 24, 1999, are not regulatory and are intended to provide assistance in achieving a quality design that enhances the proposed development and that will be compatible with adjacent development and land uses.

The existing service station is consistent with the site design criteria stated in the Guidelines (Attachment No. PC 4). A summary of the existing and proposed elements of the project, as they relate to the Guidelines, is provided below.

#### Site Design, Architectural Design, and Details:

Although the large landscaped area at the corner of the site is not part of the subject property, the appearance of the landscaped area provides the strong street corner landscape element that the Guidelines encourage. The existing semi-circular design of the canopies on either side of the service station building, provides separate service islands/canopies rather than a single large service island/canopy. The new car wash building will be located at the rear of the site. The openings of the car wash are not oriented toward the street and it has been designed to minimize any potential visual and noise impacts to the adjacent land uses.

The architectural design of the existing service station is unique to the site and community and is not a typical corporate or franchise design. The new exterior finishes proposed for the existing service station will be consistent with the new car wash building, new trash enclosure, and sound wall and will include stucco, stacked stone, tinted glass, and limited areas of painted surfaces. The new trash enclosure will be located to the rear of the property to minimize it's visibility to the public. The existing fuel tank vents (EVR) will be screened and painted to blend in with the new exterior finishes of the existing service station, or will be moved to the rear of the property, screened by landscaping and painted to match the landscaping. Glare is minimized from the recessed fixtures in the fueling station canopy. The exterior lighting throughout the site is designed to avoid glare and light is concealed and directed away from adjacent properties.

#### Access and Circulation:

Two driveways, for entering and exiting the service station, are located along Jamboree Road and two along San Joaquin Hills Road. The driveways provide good on-site circulation. The existing drive aisles are wide and allow easy maneuverability throughout the site, and provide sufficient on-site space for fuel delivery trucks so as not to disrupt circulation during deliveries. The design and location of the proposed new car wash at the rear of the property will not interfere with the service station convenience store and fueling operation. The access and circulation have been reviewed and approved by the City Traffic Engineer.

**Landscaping:**

The existing trees, shrubs, and grassy areas on the site are fully established and mature. They enhance the overall appearance of the service station and provide a buffer to the properties adjacent to the semi-circular rear property line. Areas of green grass and decorative plantings are also provided along the street frontages. New planting areas adjacent to the existing service station and the proposed car wash will also be provided to enhance the appearance of the existing and proposed buildings.

**Signs:**

The existing signs on the site were updated in 2009, and were consistent with the applicable regulations in effect at that time. A condition of approval is included in the draft resolution, which requires new signs or changes to existing signs to comply with the sign regulations required in Section 20.42.080.K.3 (Service station signs) and Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code.

**Crime Prevention:**

The proposed floor plan for the expanded convenience market is designed to be entirely open and visible to the cashier and employees. The exterior areas of the property are adequately lighted to provide security on the site. A condition of approval is included in the draft resolution, which requires that a security program related to alcohol sales be approved by the Newport Beach Police Department, if required.

*Traffic*

The Traffic Division of the Public Works Department does not anticipate that the project will cause a net increase in traffic based on ITE Trip Generation (7<sup>th</sup> Edition) Rates, and a Traffic Phasing Ordinance (TPO) study is not required. Trip generation rates for fuel/service stations are based upon the number of fueling stations located on the site. The proposed project does not include adding new fueling stations. The average daily trip (ADT) total of the fuel/service station, with the convenience market is 2,604. The proposed addition of the car wash will result in a total of 2,445 ADT, which is an overall reduction of ADT (-159). Calculations of the trip generation rates are included as Attachment No. PC 8.

### *Noise Ordinance – Car Wash*

A noise study was conducted by Mestre Greve Associates (Attachment No. PC 6) to determine if the proposed car wash operation (car wash and vacuuming stations) will comply with the City's Noise Ordinance. Since the original application proposed a 24-hour-operation, the study included noise measurements taken during the day-time and night-time hours. Five locations, which included both residential and commercial sites within the area of the subject property, were selected. Because the study found that the ambient noise levels exceed the City's noise standards at some of the locations, the higher ambient noise levels at those locations were used to compare the projected noise levels. The Noise Ordinance states that when the ambient noise levels exceed the standard, the ambient noise level becomes the standard.

The results of the study were that the projected ambient day and night-time noise standards for some of the locations would be exceeded with the car wash operation as proposed. The following modifications to the project were recommended and were incorporated into the design: changing the type of car wash system used, relocation of the car wash blowers further away from the car wash exit, and addition of a 6-foot-high-sound-barrier-wall extending along the rear property line from the new trash enclosure (east of the car wash exit) to the end of the vacuuming stations. A condition of approval is included in the draft resolution that requires the sound-barrier wall to be designed pursuant to specifications stated in the noise study recommendations. The final results of the study, which incorporated the recommended modifications, determined that the vacuuming stations would exceed the night-time Noise Ordinance standards (10:00 p.m. to 7:00 a.m.) at the adjacent Land Rover parking lot study location. Although the Land Rover auto dealership is closed during the night-time hours, a condition of approval is included to limit the hours of operation of the car wash to between 7:00 a.m. until 10:00 p.m. to comply with the noise ordinance.

### *Alcoholic Beverage Sales – Off Site*

The applicant has requested approval to include off-site beer and wine sales (Type 20 license). The Police Department has prepared an Alcohol Related Statistics report for the project site (Attachment No. PC 7). The data from the Alcohol Related Statistics Report is incorporated into the factors for consideration provided below.

#### Factors to Consider

Section 20.48.030 (Alcohol Sales) requires the Planning Commission to consider certain factors when making the required findings to approve the Conditional Use Permit. A discussion of these factors in support of the Conditional Use Permit is provided below.



1. *The crime rate in the reporting district and adjacent reporting districts as compared to other areas in the City*

(2009 Data)

Reporting District	Part One Crimes (Serious offenses)	Part Two Crimes (All other offenses)	Part One Crimes Rate (per 100,000 people)
RD No. 39	242	159	26,449.28
RD No. 44	143	146	2,426.52
RD No. 43	23	17	2,046.86
Newport Beach	2,884	3,350	3,297.31

The establishment is located within Reporting District 39, which includes Fashion Island. The Part One Crimes Rate in Reporting District 39 (RD 39) is higher than the Part One Crimes Rate for the City and adjacent districts (for a map of the City of Newport Beach Reporting Districts, see Attachment No. PC 7). The crime rate in this reporting district is 184.57 percent above the City wide reporting district average. The higher crime rate within this reporting district is largely due to the number of visitors to the Fashion Island Regional Shopping Center, the high concentration of alcohol licenses, and high ratio of non-residential to residential uses in the area. While the proposed establishment is located in an area which has a very high concentration of alcohol licenses, staff feels it is appropriate to allow the proposed off-site sale of beer and wine as a part of the products offered by the convenience market located within the existing service station.

2. *The numbers of alcohol-related calls for service, crimes, or arrests in the reporting district and the adjacent reporting districts.*

Reporting District	DUI/Drunk Arrests	Total Arrests	Calls for Service
RD No. 39	60	234	5,213
RD No. 44	80	208	4,661
RD No. 43	6	15	2,046.86
Newport Beach	1,270	3,595	69,294

RD 39 has a higher number of Total Arrests, and Calls for service recorded in 2008 compared to the adjacent reporting districts. These are related primarily to the large number of restaurants, alcohol service outlets, and visitor accommodations located within the Fashion Island, Newport Center, and Corona del Mar Plaza. No calls for service and no arrests were made related to the subject site

3. *The proximity of the establishment to residential zoning districts, day care centers, hospitals, park and recreation facilities, places of worship, schools, other similar uses, and any uses that attract minors.*

Residential properties are located more than 400 feet across Jamboree Road to the southwest, 220 feet across Jamboree Road and San Joaquin Hills Road to the northeast, and 320 feet to the northeast of the subject site. The proposed use is separated from nearby residences due to its location at the southeast corner of the intersection of Jamboree Road and San Joaquin Hills Road. The nearest recreational facilities are located within the neighboring residential developments. The project site is not located in close proximity to any churches, daycare centers or schools. The proposed use is located adjacent to other commercial uses.

The area in general is characterized by a high volume of traffic to the site from residents and visitors traveling along Jamboree and San Joaquin Hills Roads. The corner site is adjacent to commercial uses and residential uses are located on the properties located across the intersection of the two roads. The draft resolution includes conditions of approval to minimize negative impacts that the proposed off-site sale of beer and wine may have to surrounding land uses and ensure that the use remains compatible with the surrounding community.

4. *The proximity of the other establishments selling alcoholic beverages for either off-site or on-site consumption.*

The Police Department has prepared an Alcohol Related Statistics report for the project site that indicates an over concentration of alcohol licenses within this statistical area.

Reporting District	Active ABC License	Per Capita
RD No. 39	47	1 per 19 residents
RD No. 44	27	1 per 218 residents
RD No. 43	7	1 per 161 residents
County-wide	5,589	1 per 542 residents

The per capita ratio of 1 license for every 19 residents is higher than the adjacent districts and the average ratio for Orange County. However, this is due to the higher concentration of commercial land uses (Fashion Island, Newport Center, Corona del Mar Plaza) and low number of residential properties in the reporting district. Although the proposed off-site sale establishment is located in the RD39, it is not located in close proximity to other establishments selling alcoholic beverages within the RD, which are concentrated within Fashion Island and Newport Center. One location in an adjacent reporting district is in close proximity to the subject site (within the convenience market, of the Park Newport development).

5. *Whether or not the proposed amendment will resolve any current objectionable conditions.*

This factor is not applicable. Beer and Wine sales are not currently permitted at this location.

The Police Department has reviewed the concentration and crime statistics and the potential impact of the proposed application on crime and police services, and recommends approval of the establishment with a Type 20 (Beer and Wine) license with Department of Alcoholic Beverage Control (ABC). A copy of the report is included in Attachment No. PC 6. The hours that sales will be allowed on site are regulated by the ABC.

The conditions of approval recommended by the Police Department in their report related to design and security of the establishment are included in the conditions of approval of the draft resolution. The Type 20 alcohol license and the conditions of approval will effectively deter any potential problems which might have occurred with the introduction of beer and wine sales from the convenience market. In addition, all employees serving alcohol will be required to be at least 21 years of age and receive ABC-required Licensee Education on Alcohol and Drugs (LEAD) training.

#### *Alcohol Sales Finding*

In accordance with Section 20.48.030 (Alcohol Sales) of the Newport Beach Municipal Code, the Planning Commission must find that:

1. The use is consistent with the purpose and intent of Subsection 20.48.030 (Alcohol Sales) of the Zoning Code.

The project has been reviewed and conditioned to ensure that the purpose and intent of Section 20.48.030 (Alcohol Sales) of the Zoning Code is maintained and that a healthy environment for residents and businesses is preserved. Beer and wine are products that are typically found at convenience markets, and will be provided for the convenience of customers using the service station. Operational conditions of approval recommended by the Police department relative to the sale of alcoholic beverages will ensure compatibility with the surrounding uses and minimize alcohol related impacts.

#### *Use Permit Findings*

In accordance with Sections 20.52.020.F, the Planning Commission must make the following findings for approval for a use permit:

1. The use is consistent with the General Plan and any applicable specific plan.

2. The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code.
3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.
5. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

The proposed use is consistent with the General Plan and Zoning Code. Adequate parking is provided on the project site. The hours of operation are compatible with uses in the area and the 10:00 p.m. closing hour for the car wash will ensure the establishment does not exceed the night-time standards of the noise ordinance. Beer and wine sales will be provided as a convenience to the public. Operational conditions of approval have been included to ensure the service station, car wash, and beer and wine sales are compatible with the surrounding neighborhood. Staff believes the findings for approval can be made and facts in support of the required findings are presented in the draft resolution (Attachment No. PC 1).

#### Alternatives

1. If the Planning Commission determines that the findings for approval of the use permit or modification or waiver of the landscape design standards cannot be made, the Planning Commission should direct staff to prepare findings and a resolution, denying the request and return at the next Planning Commission meeting date with such resolution for adoption.
2. The Planning Commission may suggest specific design modifications that are needed to receive approval. If this is done, the item should be continued if the changes are reasonable and easily incorporated into the design. If substantial changes are directed, the item should be removed from calendar to allow redesign of the project.

#### Environmental Review

The project is categorically exempt under Section 15332, of the California Environmental Quality Act (CEQA) Guidelines - Class 32 (In-Fill Development Projects).

A detailed discussion of the proposed project and the exemption conditions is included in the draft resolution (Attachment No. PC 1).

Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the property and posted at the site a minimum of 10 days in advance of this hearing, consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City's website.

Prepared by:

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Kay Sims,  
Assistant Planner

Submitted by:



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Patrick J. Alford, Planning Manager

**ATTACHMENTS**

- PC 1 Draft Resolution with Findings and Conditions
- PC 2 UP1496 and UP1496A
- PC 3 Table 1: Service Station Design and Development Standards  
Table 2: Landscaping Standards
- PC 4 City of Newport Beach Design Guidelines: Automobile Service Stations and Washing
- PC 5 Trip Generation Calculations
- PC 6 Noise Study
- PC 7 Police Department: Alcohol-Related Statistics Report
- PC 8 Photos
- PC 9 Plans



# **Attachment No. PC 1**

Draft Resolution

**RESOLUTION NO. #####**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH APPROVING CONDITIONAL USE PERMIT NO. 2008-051 FOR AN INCREASE IN THE GROSS FLOOR AREA OF THE CONVENIENCE MARKET, REMOVAL OF THE EXISTING SERVICE BAYS, ADDITION OF AN AUTOMATED CAR WASH, AND INTRODUCTION OF OFF-SITE BEER AND WINE SALES (TYPE 20) TO AN EXISTING SERVICE STATION LOCATED AT 1550 JAMBOREE ROAD (PA2008-165)**

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by SDA PARTNERSHIP USA, with respect to property located at 1550 Jamboree Road, and legally described as Parcel 2 as shown on a map filed in Book 34, Page 40 of Parcel Maps in the office of the Orange County Recorder requesting approval of a conditional use permit.
2. The applicant proposes a conditional use permit to allow the following design and operation changes to an existing service station: demolition of three, unused service bays to increase the floor area of the existing convenience market; introduction of off-site beer and wine sales (Type 20); the addition of an automated car wash; removal of an existing office/storage building and trash enclosure; construction of a new trash enclosure; the addition of landscaping areas; and related interior and exterior improvements. The application also includes a modification or waiver of the landscaping standards of the Zoning Code to allow fewer trees and shrubs than required.
3. The subject property is located within the Commercial General (CG) Zoning District and the General Plan Land Use Element category is General Commercial (CG).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on March 3, 2011 in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

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SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act under Class 32 (In-fill Development Projects). Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

*(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

The subject property has a land use designation of General Commercial (CG) within the General Plan. The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs. Fuel/service stations, convenience stores, and car washing facilities are permitted uses within this land use designation.

The property is located within the Commercial General (CG) Zoning District. The convenience market and automated car wash uses are permitted as accessory uses to the service station with approval of a conditional use permit (CUP).

*(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The project site is located at the intersection of Jamboree and San Joaquin Hills Road, which are six-lane, divided roads designated as "major roads" in the Circulation Element of the General Plan. This site is 43,314 square feet (0.99 acres) in area and is completely surrounded by urban uses. The Land Rover (Jaguar/Aston Martin) auto dealership is located adjacent to the rear property line facing Jamboree Road. San Joaquin Hills Plaza office complex is located adjacent to the rear property line of the subject site, abutting the Land Rover site, facing San Joaquin Hills Road. A Shell service station and Big Canyon residential developments are located to the north of San Joaquin Hills Road. Harbor Cove residential development is located to the west of Jamboree Road, and Park Newport is located to the west of Jamboree Road and north of San Joaquin Hills Road.

*(c) The project site has no value as habitat for endangered, rare or threatened species.*

The site is currently fully developed with an existing service station and paved surface parking lot, and does not contain any habitat for endangered, rare or threatened species. Vegetation that exists on-site consists of non-native ornamental landscaping.

*(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

Traffic:

Per comments from the Public works Department, the proposed project will not result in additional trip generation per ITE standards.

Noise:

The proposed redevelopment of the existing service station and addition of an automated car-wash will not generate a substantial increase in noise levels as compared to the existing service station operation. The car wash has been designed and hours have been limited to 7:00 a.m. to 10:00 p.m. to comply with the noise ordinance.

Air Quality:

The addition of the car wash use will not result in an overall increase in the average daily trips (ADT) to the site. The applicant expects construction of the car wash to take approximately 2 months. The project will be conditioned to comply with the regional AQMP established by the SCAQMD. This will ensure that any construction impacts are minimized.

Water Quality:

Some of the existing landscaped areas will be removed along the perimeter of the site to provide additional required parking spaces and a stacking area for vehicles entering the car wash. The applicant will be required to prepare a Water Quality Management Plan (WQMP) and will be required to comply with all requirements of the Zoning Code and Municipal Code related to water quality.

*(e) The site can be adequately served by all required utilities and public services.*

Sewer collection and wastewater treatment services are provided by the City of Newport Beach and the Orange County Sanitation District. All utilities (i.e. electricity, natural gas, and telephone) are currently available and serve the existing site. Fire and police protection facilities and services are located less than a mile south from the project site just east of Jamboree Road on Santa Barbara Drive.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.48.030 (Alcohol Sales) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a use permit are set forth:

Finding

- A. *The use is consistent with the purpose and intent of Section 20.48.030 (Alcohol Sales of the Zoning Code.*

Facts in Support of Finding

- A.-1. The project has been reviewed and conditions of approval are included to ensure that the purpose and intent of Section 20.48.030 (Alcohol Sales) of the Zoning Code is

maintained and that a healthy environment for residents and businesses is preserved. The service of beer and wine is intended for the convenience of customers using the service station. Operational conditions of approval recommended by the Police Department relative to the sale of alcoholic beverages will ensure compatibility with the surrounding uses and minimize alcohol related impacts.

In accordance with Section 20.52.020.F of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a use permit are set forth:

#### Finding

*B. The use is consistent with the General Plan and any applicable specific plan;*

#### Facts in Support of Finding

- B.-1. The subject property has a land use designation of General Commercial (CG) within the General Plan. The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs. Fuel/service stations, convenience stores, and car washing facilities are permitted uses within this land use designation. The existing service station, proposed remodel, and addition of a car wash are consistent with this designation.
- B.-2. The service station development is located adjacent to Jamboree and San Joaquin Hills Roads, which consist of six lanes each. Jamboree Road provides a major transportation route connecting Coast Highway with I-405 and San Joaquin Hills Road connecting to Fashion Island (a regional shopping center), Newport Center, and Corona del Mar Plaza. The proposed service station development will provide services for visitors to the City as well as residents and employees of businesses located within the area and throughout the City.
- B.-3. The subject property is not part of a specific plan area.

#### Finding

*C. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code;*

#### Facts in Support of Finding

- C.-1. The site is located in the Commercial General (CG) Zoning District. The CG zoning district is intended to provide for areas appropriate for a wide variety of commercial activities oriented primarily to serve City-wide or regional needs. The proposed service station development is located at the intersection of two major roads and will provide services for visitors to the City as well as residents and employees of businesses located within the area and throughout the City



Finding

- D. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;*

Facts in Support of Finding

- D.-1. The subject site is located at the southeast corner of the intersection of Jamboree and San Joaquin Hills roads, which are six-lane, divided roads classified as "major" roads by the General Plan. With the exception of the Shell service station located at the northeast corner of the intersection, residential uses are located to the east of Jamboree Road and north of San Joaquin Hills Road. Commercial and office uses are located adjacent to the site to the south and east. The site provides a convenient location for residents and employees of the neighboring areas, and visitors to the area to purchase fuel and convenience items. Conditions of approval are included to minimize, to the greatest extent possible, any impacts to the surrounding residential and commercial uses.
- D.-2. The size of the site (0.99 acres) complies with the standards of the Zoning Code related to minimum land area for service stations and car washing facilities and vehicular access to the site is provided via four driveways, two adjacent to Jamboree Road and two adjacent to San Joaquin Hills Road. The project is located and designed to provide adequate circulation and parking on the site for the service station, expanded convenience market area, and the car wash.
- D.-3. The hours of operation of the service station and convenience market, currently 24-hours-a-day, seven-days-a-week, will remain the same. The original use permit did not limit the hours of operation for the service station. It has been operating 24-hours-a-day, seven-days-a-week for an indeterminate time, and has not proven detrimental to the neighborhood or City. The project includes conditions of approval to ensure that potential conflicts are minimized to the greatest extent possible.
- D.-4. The automated car wash operation will be located at the rear of the site to provide adequate circulation and parking. The use permit includes conditions of approval requiring that the hours of operation are limited to 7:00 a.m. until 10:00 p.m. to comply with the City's exterior noise standards.

Finding

- E. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and*

Facts in Support of Finding

- E.-1. The project is located at the intersection of two major roads. The area of the site (0.99 acres) meets the minimum size requirements for service stations required by the

Zoning Code, and is large enough to provide adequate access, circulation and parking on the site to permit the addition of the car wash operation.

- E.-2. The subject site is developed with the existing service station operation and there is adequate public and emergency vehicle access, public services, and utilities, which are existing on the site to accommodate the proposed project development.
- E.-3. The improvements to the project site will comply with all Building, Public Works, and Fire Codes. All ordinances of the City and all conditions of approval will be complied with.

#### Finding

- F. *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

#### Facts in Support of Finding

- F.-1. The existing service station has been in operation since 1971 pursuant to Use Permit No. 1496, has not proven detrimental to the area, and has demonstrated that it is compatible with the neighboring residential and commercial uses.
- F.-2. Conditions of approval are included in the draft resolution, which will ensure that potential conflicts with the surrounding residential and commercial land uses are minimized to the greatest extent possible.
- F.-3. The automated car wash operation will be located at the rear of the site to maintain adequate circulation and parking on the site. The conditional use permit includes conditions of approval requiring that the hours of operation be limited to 7:00 a.m. until 10:00 p.m. to comply with the City's exterior noise standards.
- F.-4. The operational conditions of approval recommended by the Police Department relative to the sale of alcoholic beverages will ensure compatibility with the surrounding uses and minimize any impacts to the surrounding area, which are related to the sale of alcohol from the convenience store.

Pursuant to Section 20.48.210.T.2 (Modification or waiver of standards), the Planning Commission may modify or waive any of the design and development standards upon finding that:

Finding

- G. *The strict compliance with the standards is not necessary to achieve the purpose and intent of the design standards section.*

Facts in Support of Finding

- G.-1. The shape of the site, the design and location of the existing service station and proposed car wash are unique to this location. The location, number, and maturity of the existing trees, shrubs, and landscaped areas enhance the overall visual quality of the site. The mature trees adjacent to the semi-circular rear property line provide a buffer from the service operation to the adjacent land uses.
- G.-2. Although not a part of the subject site, the landscaped area at the corner of Jamboree Road and San Joaquin Hills Road, enhances the overall service station site, and provides a buffer to screen the service station operation.
- H. *The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards.*

Facts in Support of Finding

- H.-1. A greater number of trees and shrubs are provided throughout the site than are required (27 trees required, 33 trees provided; 78 shrubs required, 194 shrubs provided).
- H.-2. Increases to the landscaped areas and plantings adjacent to the service station building are proposed, and additional landscaped areas will be planted adjacent to the proposed car wash building.
- I. *The overall site plan and architectural design is consistent with the City of Newport Beach Design Guidelines: Automobile Service Stations and Washing.*

Facts in Support of Finding

- I.-1. The overall site plan and architectural design of the existing service station and purposed car wash operation is consistent with the *City of Newport Beach Design Guidelines: Automobile Service Stations and Washing*.

SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Planning Commission of the City of Newport Beach hereby approves Conditional Use Permit Application No. UP2008-051, subject to the conditions set forth in draft resolution, which is attached hereto and incorporated by reference.
2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 3<sup>rd</sup> DAY OF MARCH, 2011.**

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: \_\_\_\_\_  
Earl McDaniel, Chairman

BY: \_\_\_\_\_  
Michael Toerge, Secretary

**EXHIBIT "A"****CONDITIONS OF APPROVAL***(Project-specific conditions are in italics)***GENERAL**

1. *This resolution supersedes Planning Commission Use Permit Nos. UP14966 and UP1496A, which upon vesting of the rights authorized by this application, shall become null and void six months following the issuance of building permits for the proposed project.*
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. *The development shall be in substantial conformance with the approved site plan, floor plan(s), and building elevation(s) stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval).*
4. *Hours of operations for the car wash shall be limited to 7:00 a.m. until 10:00 p.m. daily. The hours of operation of the service station and convenience market (24 hours-a-day, 7 days-a-week) are permitted to continue.*
5. *The EVR shall be located on the side of the rear wall of the service station building shall be screened and painted to blend in with the remodeled building finishes, or be moved to a location at the rear of the property and be screened with landscaping and painted to the landscaping.*
6. This Use Permit may be modified or revoked by the City Council or the Planning Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
7. *The applicant is required to obtain all applicable permits from the City Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.*
8. *Any change in operational characteristics, hours of operation, expansion in area, or other modification to the approved plans, shall require an amendment to this Use Permit or the processing of a new Use Permit.*
9. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.

10. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
11. *Use Permit No. 2008-051 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.60 of the Newport Beach Municipal Code, unless an extension is otherwise granted.*
12. Should this business be sold or otherwise come under different ownership, any future owners or assignees shall be notified in writing of the conditions of this approval by the current owner or leasing company.

## PARKING

1. *A total of 12 parking spaces (not including fueling spaces) shall be provided for the service station/convenience market operation. Five queuing spaces shall be provided for the car wash. All parking spaces and queuing spaces shall be maintained clear of obstructions at all times.*

## NOISE

1. *A 6-foot-high-noise-barrier wall shall be installed surrounding the vacuum stations. The location of the barrier shall be constructed in the location shown on the plans dated with this approval or relocated to a location reviewed and approved by the Planning Director. The wall must have a surface density of at least 3.5 pounds per square foot, and shall have no openings or gaps. The wall may be constructed of stud and stucco, 3/8 plate glass, 5/8-inch Plexiglas, any masonry material, or a combination of these materials.*
2. *Prior to issuance of a permit to operate the car wash and final of the building permit, a post-construction noise study of the car wash system and vacuuming system stations and their location shall be conducted by a qualified acoustical engineer. The results of the study shall show that the noise levels of the car wash system and location and number (four) of the vacuum system stations comply with the City's Noise Ordinance.*
3. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

	Between the hours of 7:00AM and 10:00PM		Between the hours of 10:00PM and 7:00AM	
Location	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

4. The operator of the facility shall be responsible for control of noise generated by the subject facility. The noise generated by the proposed use shall comply with the provisions of Chapter 10.26 of the Newport Beach Municipal Code.
5. All mechanical equipment shall be screened from view of adjacent properties and adjacent public streets within the limits authorized by this permit, and shall be sound attenuated in accordance with Chapter 10.26 of the Newport Beach Municipal Code, Community Noise Control.
6. No outside paging system shall be utilized in conjunction with this establishment.

#### LIGHTING

1. Exterior light sources shall be shielded from view and directed away from adjacent properties in compliance with Section 20.30.070 (Outdoor Lighting). Luminaries shall be of a low-level, indirect diffused type and shall not exceed a height of 20 feet above existing grade.
2. The site shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, if in the opinion of the Planning Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Planning Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
3. Prior to issuance of the certificate of occupancy or final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm control of light and glare specified per condition of approval LIGHTING, No.2. An additional photometric study will be provided, if required by the Code Enforcement Department.

#### SIGNAGE

1. *New signs or changes to existing signs shall comply with sign regulations required in Section 20.42.080.K.3 (Service Station Signs) and Section 20.42.120 (Comprehensive Sign Program), if applicable, of the Zoning Code.*
2. No temporary "sandwich" signs or similar temporary signs shall be permitted, either on-site or off-site.
3. Temporary signs shall be prohibited in the public right-of-way unless otherwise approved by the Public Works Department in conjunction with the issuance of an encroachment permit or encroachment agreement.
4. Window signs visible on the exterior of the building are not permitted.

5. The final location of the signs shall be reviewed by the City Traffic Engineer and shall conform to City Standard 110-L to ensure that adequate sight distance is provided.

#### TRASH

1. *The location and design of the trash enclosure shall be in substantial conformance with the plans stamped and dated with the date of this approval.*
2. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash dumpsters shall have a top, which shall remain closed at all times, except when being loaded or while being collected by the refuse collection agency.
3. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment, however, not located on or within any public property or right-of-way.
4. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, debris, and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
5. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Department. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
6. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., daily, unless otherwise approved by the Planning Director, and may require an amendment to this use permit.

#### LANDSCAPING

1. The project shall comply with Chapter 14.16 (Water Efficient Landscaping) of the Municipal Code, if applicable. The Planning Division and the General Services shall approve the final landscape planting and sprinkler irrigation plans and specifications before issuance of a building permit.
2. All landscape materials, landscaped areas, and irrigation systems shall be installed and maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.



3. Prior to issuance of grading or building permits, the applicant shall submit plans for the review and approval by the Planning Division that incorporate the use of alternate paving materials or banding to break up expanses of pavement. The materials used shall be complimentary to the overall design and architecture of the site.
4. Prior to the final of building permits, the applicant shall schedule an inspection by the Code and Water Quality Enforcement Division to confirm that all landscaping was installed in accordance with the approved plan.
5. Reclaimed water shall be used whenever available, assuming it is economically feasible.
6. New landscaping shall incorporate drought-tolerant plant materials and drip irrigation systems where possible.
7. Water leaving the project site due to over-irrigation of landscape shall be minimized. If an incident such as this is reported, a representative from the Code Enforcement Division shall visit the location, investigate, inform and notice the responsible party, and, as appropriate, cite the responsible party and/or shut off the irrigation water.
8. Watering shall be done during the early morning or evening hours (between 4:00 p.m. and 9:00 a.m.) to minimize evaporation the following morning.
9. All leaks shall be investigated by a representative from the Code and Water Quality Enforcement Division and the applicant shall complete all required repairs.
10. Water should not be used to clean paved surfaces such as sidewalks, driveways, parking areas, etc. except to alleviate immediate safety or sanitation hazards.

#### ALCOHOL SALES

11. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
12. All exits shall remain free of obstructions and available for ingress and egress at all times.
13. Displays, shelving, etc. shall be positioned in such a way tht the clerk can be seen from outside the service station building.
14. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 180 days of the issuance of the certificate of

occupancy. Records of each owner's, manager's and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.

15. No alcoholic beverages shall be sold between the hours of 2:00 a.m. to 6:00 a.m.
16. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition.
17. The applicant shall post and maintain a professional quality sign facing the premise's parking lot(s) that reads as follows:

**NO LOITERING, NO LITTERING  
NO DRINKING OF ALCHOLIC BEVERAGES  
VIOLATORS ARE SUBJECT TO ARREST**

The sign shall be at least two feet square with two inch block lettering. The sign shall be printed in English and Spanish.

18. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
19. Beer, malt beverages, and wine coolers in containers of 16 oz. or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities.
20. Wine shall not be sold in bottles or containers smaller than 750 ml.
21. No person under the age of 21 shall sell or deliver alcoholic beverages.

#### VEHICLE USES

1. The parking of vehicles and equipment for purposes of sale or rental is prohibited.
2. No vehicles shall be parked or stored in the public right-of-way.
3. Fuel delivery trucks shall not obstruct the public right of way during delivery or any other time. Fuel delivery trucks shall not access the site during peak traffic periods (8:00 a.m. to 10:00 a.m. and 4:00 p.m. to 6:00 p.m.).

#### SITE ACCESS AND CIRCULATION

1. Parking layout shall be per City standard STD-805-L-A and STD-805-L-B. Standard parking stall dimensions shall be 8' 6" by 17' adjacent to minimum drive aisle width of 26 feet.

2. Prior to issuance of permits, final parking and circulation design shall be subject to further review by the City Traffic Engineer.
3. The drive aisle located between the proposed car wash building and the building shall remain open at all times and not be impacted by the car wash operation.
4. The car wash operation shall not impact the overall circulation on the site. Vehicles shall not queue/stack into the public right-of-way.
5. Site access shall be designed to comply with the City's sight distance standard STD-110-L.

#### UTILITIES

1. A sewer lateral con-out shall be installed per CNB-STD 406L at the property line.
2. A clarifier on the discharge side of the car wash drain system shall be installed.
3. If the car wash water supply will be tapping off of the existing domestic water line, the inlet to the water tank shall require an RP backflow or air-gap.

#### CONSTRUCTION

1. The construction and equipment staging area shall be located in the least visually prominent area on the site and shall be properly maintained and/or screened to minimize potential unsightly conditions.
2. A six-foot-high screen and security fence shall be placed around the construction site during construction.
3. Construction equipment and materials shall be properly stored on the site when not in use.
4. The applicant shall comply with SCAQMD Rule 403 requirements as follows:

##### Land Clearing/Earth-Moving

- a. Exposed pits (i.e., gravel, soil, dirt) with 5 percent or greater silt content shall be watered twice daily, enclosed, covered, or treated with non-toxic soil stabilizers according to manufacturers' specifications.
- b. All other active sites shall be watered twice daily.
- c. All grading activities shall cease during second stage smog alerts and periods of high winds (i.e., greater than 25 mph) if soil is being transported to off-site locations and cannot be controlled by watering.

- d. All trucks hauling dirt, sand, soil, or other loose materials off-site shall be covered or wetted or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer).
- e. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.
- f. All vehicles on the construction site shall travel at speeds less than 15 mph.
- g. All diesel-powered vehicles and equipment shall be properly operated and maintained.
- h. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than 5 minutes.
- j. The construction contractor shall utilize electric or natural gas-powered equipment instead of gasoline or diesel-powered engines, where feasible.

#### Paved Roads

- k. Streets shall be swept hourly if visible soil material has been carried onto adjacent public paved roads.
  - l. Construction equipment shall be visually inspected prior to leaving the site and loose dirt shall be washed off with wheel washers as necessary.
- 5. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise, shall be limited to between the hours of 7:00 a.m. to 6:30 p.m., Monday through Friday and 8:00 a.m. to 6:00 p.m., Saturday. Noise-generating construction activities are not allowed on Sundays or federal holidays.
  - 6. Noise-generating equipment operated at the project site shall be equipped with effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
  - 7. Prior to commencement of demolition and grading of the project, the applicant shall submit a construction management and delivery plan to be reviewed and approved by the Public Works Department, if required. The plan shall include discussion of project phasing; parking arrangements for both sites during construction; anticipated haul routes; and construction mitigation. Upon approval of the plan, the applicant shall be responsible for implementing and complying with the stipulations set forth in the approved plan.
  - 8. Traffic control and truck route plans shall be reviewed and approved by the Public Works Department before their implementation, if required. Large construction vehicles shall not

be permitted to travel narrow streets as determined by the Public Works Department. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagman.

9. A haul route permit shall be required for any large construction related vehicle (i.e. dirt hauling vehicle).
10. The applicant shall employ the following best available control measures ("BACMs") to reduce construction-related air quality impacts:

#### Dust Control

- Water all active construction areas at least twice daily.
- Cover all haul trucks or maintain at least two feet of freeboard.
- Pave or apply water four times daily to all unpaved parking or staging areas.
- Sweep or wash any site access points within two hours of any visible dirt deposits on any public roadway.
- Cover or water twice daily any on-site stockpiles of debris, dirt or other dusty material.
- Suspend all operations on any unpaved surface if winds exceed 25 mph.

#### Emissions

- Require 90-day low-NOx tune-ups for off road equipment.
- Limit allowable idling to 30 minutes for trucks and heavy equipment.

#### Off-Site Impacts

- Encourage car pooling for construction workers.
- Limit lane closures to off-peak travel periods.
- Park construction vehicles off traveled roadways.
- Wet down or cover dirt hauled off-site.
- Sweep access points daily.
- Encourage receipt of materials during non-peak traffic hours.
- Sandbag construction sites for erosion control.

#### Fill Placement

- The number and type of equipment for dirt pushing will be limited on any day to ensure that SCAQMD significance thresholds are not exceeded.
- Maintain and utilize a continuous water application system during earth placement and compaction to achieve a 10 percent soil moisture content in the top six-inch surface layer, subject to review/discretion of the geotechnical engineer.

11. Prior to the issuance of grading permits, a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) to comply with the General Permit for Construction Activities shall be prepared, submitted to the State Water Quality Control Board for approval and made part of the construction program. The project applicant will provide the City with a copy of the NOI and their application check as proof of filing with the State Water Quality Control Board. This plan will detail measures and practices that will be in effect during construction to minimize the project's impact on water quality.
12. Prior to issuance of grading permits, the applicant shall prepare and submit a Water Quality Management Plan (WQMP) for the proposed project, subject to the approval of

the Building Department and Code and Water Quality Enforcement Division. The WQMP shall provide appropriate Best Management Practices (BMPs) to ensure that no violations of water quality standards or waste discharge requirements occur.

13. A list of "good house-keeping" practices will be incorporated into the long-term post-construction operation of the site to minimize the likelihood that pollutants will be used, stored or spilled on the site that could impair water quality. These may include frequent parking area vacuum truck sweeping, removal of wastes or spills, limited use of harmful fertilizers or pesticides, and the diversion of storm water away from potential sources of pollution (e.g., trash receptacles and parking structures). The Stage 2 WQMP shall list and describe all structural and non-structural BMPs. In addition, the WQMP must also identify the entity responsible for the long-term inspection, maintenance, and funding for all structural (and if applicable Treatment Control) BMPs.

## ENVIRONMENTAL

1. Prior to the issuance of grading or building permits, the applicant shall submit written documentation from the Orange County Department of Environmental Health, the Certified Unified Program Agency (CUPA) for Orange County, verifying that the project site is in compliance with all applicable Underground Storage Tank (UST) requirements, that the project site has passed any applicable UST site pollution testing and that the repair, maintenance and removal of any existing USTs is being performed in accordance with Orange County Department of Environmental Health (CUPA) regulations and policies.
2. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the (Jamboree Chevron Service Station) project including, but not limited to, (Use Permit No. 2008-051) and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

## **Attachment No. PC 2**

UP1496 and UP1496A

USE PERMIT APPLICATION  
CITY OF NEWPORT BEACH

No. 1496

Fee \$150.00

Planning Department  
3300 Newport Boulevard  
Phone (714) 673-2110

Applicant STANDARD OIL COMPANY OF CALIFORNIA Phone (714) 835-3601

Mailing Address STANDARD OIL COMPANY OF CALIFORNIA, WESTERN OPERATIONS, INC.  
P. O. BOX 10520  
1950 East 17th Street, Santa Ana, California 92701

Property Owner THE IRVINE COMPANY Phone (714) 644-3011

Mailing Address 550 Newport Center Drive  
Newport Beach, California 92660

Address of Property Involved 1550 JAMBOREE ROAD  
Most Southerly corner of San Joaquin Hill Road  
and Jamboree Road

Purpose of Application (describe fully) Approval to construct a modern,  
special designed Service Station

Zone HI-Rise Commercial Present Use Unimproved

Legal Description of Property Involved (if too long, attach sheet)

SEE ATTACHMENT

Arnold E. Buck  
Signature of Applicant or Agent

11-6-70  
Date

Albert J. Coker  
IRVINE COMPANY  
Signature of Owner

11-5-70  
Date

XX

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed 11-9-1970 Fee Pd. 150<sup>00</sup> Receipt No. 32546

Hearing Date 11-19-1970 Publication Date 11-10-1970

Posting Date 11-10-1970 Mail Date \_\_\_\_\_

P.C. Action APPROVED, SUBJECT TO ATTACHED CONDITIONS

Date 12-2-1970 Appeal \_\_\_\_\_

C.C. Hearing \_\_\_\_\_ C.C. Action \_\_\_\_\_

Date \_\_\_\_\_



Southeast corner San Joaquin Hills Road & Jamboree Road  
Newport Beach, California

That portion of Block 55 of Irvine's Subdivision in the City of Newport Beach, County of Orange, State of California, as per map filed in Book 1, page 88 of Miscellaneous Record Maps in the office of the County Recorder of said County, Described as follows:

COMMENCING at the Northwesterly terminus of that certain course on the Southwesterly right of way of San Joaquin Hills Road shown as "North 53° 57' 12" West 517.65 feet" on a map of Tract No. 6015 filed in Book 239, pages 28 through 41 of Miscellaneous Maps in the office of said County Recorder; thence South 53° 57' 12" East along said right of way 42.82 feet to a point on a non-tangent curve concave Northerly having a radius of 65.00 feet and the True Point of Beginning a radial to said point bears South 53° 57' 12" East; thence Southwesterly and Northwesterly 110.20 feet along said curve through an angle of 97° 08' 18" to the Southeasterly right of way of Jamboree Road as described in a deed recorded in Book 7964, page 631 of Official Records of said County; thence non-tangent South 43° 30' 31" West along said right of way 170.00 feet to a point on a non-tangent curve concave Northerly having a radius of 235.00 feet and concentric with said 65.00 foot radius curve, a radial to said point bears South 43° 25' 09" West; thence Southeasterly and Northeasterly 399.38 feet along said curve through an angle of 97° 22' 21" to the Southwesterly right of way of said San Joaquin Hills Road; thence North 53° 57' 12" West along said right of way 170.00 feet to the True Point of Beginning.

ROLL CALL

December 2, 1970

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MARTIN  
GLASS  
BROWN  
ADKINSON  
DOSE  
WATSON  
JAKOSKY

5. That all parkway trees be planted in accordance with standards of the Parks, Beaches, and Recreation Department and the established inspection fee be paid.

The following two applications were discussed concurrently as they are interrelated.

Request to permit the establishment of a gasoline service station.

Location: Portion of Block 55, Irvine's Subdivision, located at the southeasterly corner of San Joaquin Hills Road and Jamboree Road.

Zone: C-O-H-UL

Applicant: Standard Oil of California, Santa Ana

Owner: The Irvine Company, Newport Beach

Item 4.

USE  
PERMIT  
NO. 1496

APPROVED

Request to permit a resubdivision of a vacant parcel of land into two parcels, one to be used as a service station site and one to be devoted to landscaping.

Location: Portion of Block 55, Irvine's Subdivision, located at the southeasterly corner of San Joaquin Hills Road and Jamboree Road.

Zone: C-O-H-UL

Applicant: Standard Oil of California, Santa Ana

Engineer: Holm, Tait and Associates, Anaheim

Owner: The Irvine Company, Newport Beach

Item 5.

RESUBDI-  
VISION  
NO. 290

APPROVED

The applications were presented to the Planning Commission by Planning Director Wilson.

Drawings of the proposed station were passed out to the Commission and Mr. G. E. Buck, Property Representative of Standard Oil Company was present at the meeting and displayed large renderings. A

ROLL CALL

December 2, 1970

INDEX

Motion  
Second  
All Ayes

x  
x

lengthy discussion ensued during which Mr. Buck stated that this proposal was the culmination of three years work. Traffic channelization was again a concern of the Commission, as well as parking on-site, the plan showing 10 spaces. The Commission felt that 17 spaces on-site should be provided.

After further discussion, the application was approved subject to the following conditions:

1. Operation of the station shall be limited to:

- A. Dispensing of gasoline.
- B. Sale and changing of engine oil and filters.
- C. Lubrication of motor vehicles.
- D. Sale and installation of batteries and minor automotive accessories.
- E. Sale, mounting and repair of tires.
- F. Auto washing and waxing when done entirely within a building but not including any automatic or self service car wash.
- G. Operation of the station shall be limited to: Motor tune up service, the sale, replacement, and installation of brake shoes, cylinders, and minor replacement brake parts, and air conditioning service. There shall be no major engine and transmission overhaul or repairs. Nor shall there be any upholstery work, glass replacement, painting, welding, dismantling, and body and fender work.
- H. Merchandising - no service station shall be operated in a self-service manner. No sale, lease or rental of items, e.g., trailers, trucks, toys, peat moss, dolls or other items not clearly incidental to the automotive industry, shall be permitted. Soda pop, candy and cigarettes may be sold via dispensers if such dispensers are housed within a building and are not visible to the public right-of-ways.

2. All tires, oils, additives and other automotive items shall be housed within the building. No outside displays of merchandise of any kind shall be permitted.



Martin  
Glass  
Brown  
Adkins  
Dosh  
Watson  
Jakosky

3. There shall be no flags, banners, spinners, streamers or other attention attracting devices permitted at any time on the site.

4. Signing - a maximum of two signs, not exceeding 100 square feet, shall be permitted on any service station site. One sign not exceeding 50 square feet (each side) may be permitted in a freestanding location. No rotating, flashing or animated signs shall be permitted.

A. One price sign not to exceed 3' x 4' to be permitted at each gasoline service station site. Said sign must be approved by the Irvine Company and Planning Director insofar as materials, colors and location are concerned.

B. That one reasonable sized tire rack be allowed at each station, subject to the approval of the Planning Director.

5. All outside lighting shall be so arranged and shielded as to prevent any glare or reflection, and any kind of a nuisance, inconvenience and hazardous interference on nearby property or streets. No direct illumination sources shall be visible from adjacent properties or public right-of ways.

6. A detailed landscaping plan shall be submitted to and approved by the Planning Director. Such plan shall include the names of all plants, container size, spacing and the irrigation system proposed. Adequate trees shall be included to screen the station from the nearby residential development. All landscaping shall be installed in accordance with the approved plan and shall be permanently maintained in good condition.

7. All landscaped areas shall be separated from paved areas by a concrete curb 6 inches higher than the adjoining paving.

8. All utilities serving the site shall be installed underground.



JAKOSKY  
 WATSON  
 DOSH  
 ADKINSON  
 BROWN  
 GLASS  
 MARTIN

9. The development shall comply substantially with the plans filed with the application and these conditions of approval.
10. All provisions for disposal of runoff water shall be approved by the Director of Public Works.
11. This approval shall be null and void unless Resubdivision No. 290 is approved and completed.
12. Gasoline delivery - no delivery tanker shall be permitted to park on public right-of-ways during gasoline delivery.
13. Parking - a total of 17 off-street parking spaces shall be required and an amended plot plan submitted to the Planning Department.
14. The Commission may require the construction of six foot high decorative walls utilizing materials similar in color, texture and module to those used on the building, at such time as the property adjacent is proposed for development by virtue of a building permit. Such walls shall be reduced to 3 feet in height within 20 feet of the street property lines. Such walls need not be erected when building walls already exist on the property lines.
15. The Planning Commission shall reserve the right without necessity of further hearings to require minor modifications of any of the foregoing conditions or the working drawings if such modifications will achieve substantially the same results and will in no way be detrimental to adjacent properties and improvements than will the strict compliance with said conditions and preliminary plans.

Motion  
 Second  
 All Ayes

x  
 x

Resubdivision No. 290 was approved subject to the following conditions:

1. That all improvements be constructed as required by ordinance and the Public Works Department.

Martin  
 Glass  
 Brown  
 Adkinson  
 Dosh  
 Watson  
 Jakosky

2. That a parcel map be filed.
3. That a standard agreement and surety be provided to guarantee completion of the public improvements if it is desired to have a building permit issued or the parcel map recorded prior to completion of such improvements.
4. That additional street right-of-way be dedicated as necessary to provide for the free right-turn lane from northbound on Jamboree Road to eastbound on San Joaquin Hills Road.
5. That the Water Capital Improvement Acreage Fee for Zone III be paid.
6. That all parkway trees be planted in accordance with standards of the Parks, Beaches and Recreation Department and the established fee be paid.

Commissioner Adkinson left the meeting prior to consideration of the following item inasmuch as his firm represents the owners of the property.

Item 6.

Request to prezone unincorporated territory adjoining the City of Newport Beach for the purpose of determining the zoning that will apply to such property in the event of subsequent annexation to the City. Specific consideration will be given to the establishment of a P-C "Planned Community" District to provide for the development of approximately 26.5 acres of land located north of Pacific Coast Highway and east of Superior Avenue for development as residential garden apartments and condominiums using up to three-story buildings with underground parking and expanded green areas.

ZONE  
 CHANGE  
 AMEND-  
 MENT  
 NO. 274

APPROVED

Location: Portion of Lot 172, Block 1 and Lot 169, Block 2 of Irvine's Subdivision, located north of Pacific Coast Highway and east of Superior Avenue, south of the extension of Hospital Road.

Zone: R-3 (Orange County)

Applicants: William J. Cagney & James Cagney, N.B.

Owners: Same as applicants.



STANDARD OIL COMPANY OF CALIFORNIA,  
WESTERN OPERATIONS, INC.

November 19, 1970

Re: Use Permit Application No. 1496  
Standard Oil Company of California  
Service Station  
SE San Joaquin Hills Road & Jamboree Road  
Newport Beach, California

Planning Commission  
City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, California

Gentlemen:

Please refer to the staff report dated November 13, 1970. Item 1.G reads as follows:

"Operation of the station shall be limited to: There shall be no major engine tune up, brake replacement, upholstery work, glass replacement, painting, welding, dismantling, body and fender work and engine or transmission overhaul."

We feel that the condition prohibiting engine tune up and brake replacement would be an economic hardship on the operation of the proposed service station. Further, it would limit the residents in the area to an invaluable automotive service. It is our understanding, however, that the intent of these conditions is to restrict major engine or brake overhaul. We are in complete agreement with this intention.

As a point of clarification, we would suggest that the following language be substituted for condition 1.G, which would, in effect, accomplish our mutual objective:

"Operation of the station shall be limited to: Motor tune up service, the sale, replacement, and installation of brake shoes, cylinders, and minor replacement brake parts, and air conditioning service. There shall be no major engine and transmission overhaul or repairs. Nor shall there be any upholstery work, glass replacement, painting, welding, dismantling, and body and fender work."

Your consideration and approval of this amendment will be greatly appreciated.

Very truly yours,

G. E. Duck  
Property Representative

CITY OF NEWPORT BEACH

November 13, 1970

TO: Planning Commission  
FROM: Planning Department  
SUBJECT: Use Permit Application No. 1496

Request to permit the establishment of a gasoline service station.

LOCATION: Portion of Block 55, Irvine's Subdivision, located on the southeasterly corner of San Joaquin Hills Road and Jamboree Road

ZONE: C-O-H-UL

APPLICANT: Standard Oil of California, Santa Ana

OWNER: The Irvine Company, Newport Beach

Application

This application requests permission to establish a gasoline service station at the southeasterly corner of San Joaquin Hills Road and Jamboree Road in the C-O-H-UL District. In accordance with Section 20:22.030(b) of the Newport Beach Municipal Code, gasoline service stations are permitted in the C-O District subject to the securing of a use permit.

Subject Property and Surrounding Land Use

The property in question is vacant and is located on the southeasterly corner of San Joaquin Hills Road and Jamboree Road in the 800 Block of Newport Center. The site is directly across San Joaquin Hills Road from the "Big Canyon" Planned Community (where Resubdivision No. 292 and Use Permit No. 1495 propose a similar service station) and across Jamboree Road from the "Park Newport" apartments. San Joaquin Hills Road and Jamboree Road are both constructed with raised medians in this area and, therefore, would permit right turns only in and out of the proposed service station.

There is an existing curb, gutter, and partial sidewalk on San Joaquin Hills Road, but no curb, gutter or sidewalk on Jamboree Road.

Analysis

The plans propose a station with the lube bays oriented away from the street and with a substantial area set aside for landscaping. Ten parking spaces will be provided on-site for use by employees and customers. The main structure, at the highest point, will be 17 feet in



TO:

Planning Commission - 2.

height . The predominant material used in the structure will be white norman brick. The treatment and overall effect is equal if not superior to the two stations located at the northerly corners of East Coast Highway and Jamboree Road.

#### Recommendation

Staff recommends approval of Use Permit No. 1496 subject to the following conditions (which are similar to those attached to the two previously mentioned stations at Jamboree Road and East Coast Highway):

1. Operation of the station shall be limited to:
  - A. Dispensing of gasoline.
  - B. Sale and changing of engine oil and filters.
  - C. Lubrication of motor vehicles.
  - D. Sale and installation of batteries and minor automotive accessories.
  - E. Sale, mounting and repair of tires.
  - F. Auto washing and waxing when done entirely within a building but not including any automatic or self service car wash.
  - G. There shall be no major engine tune up, brake replacement, upholstery work, glass replacement, painting, welding, dismantling, body and fender work and engine or transmission overhaul.
  - H. Merchandising - no service station shall be operated in a self-service manner. No sale, lease or rental of items, e.g., trailers, trucks, toys, peat moss, dolls or other items not clearly incidental to the automotive industry, shall be permitted. Soda pop, candy and cigarettes may be sold via dispensers if such dispensers are housed within a building and are not visible to the public right-of-ways.
2. All tires, oils, additives and other automotive items shall be housed within the building. No outside displays of merchandise of any kind shall be permitted.
3. There shall be no flags, banners, spinners, streamers or other attention attracting devices permitted at any time on the site.
4. Signing - a maximum of two signs, not exceeding 100 square feet, shall be permitted on any service station site. One sign not exceeding 50 square feet (each side) may be permitted in a freestanding location. No rotating, flashing or animated signs shall be permitted.
  - A. One price sign not to exceed 3' x 4' to be permitted at each gasoline service station site. Said sign must be approved by the



TO: Planning Commission - 3.

Irvine Company and Planning Director insofar as materials, colors and location are concerned.

- B. That one reasonable sized tire rack be allowed at each station; subject to the approval of the Planning Director.
5. All outside lighting shall be so arranged and shielded as to prevent any glare or reflection, and any kind of a nuisance, inconvenience and hazardous interference on nearby property or streets. No direct illumination sources shall be visible from adjacent properties or public right-of-ways.
6. A detailed landscaping plan shall be submitted to and approved by the Planning Director. Such plan shall include the names of all plants, container size, spacing and the irrigation system proposed. Adequate trees shall be included to screen the station from the nearby residential development. All landscaping shall be installed in accordance with the approved plan and shall be permanently maintained in good condition.
7. All landscaped areas shall be separated from paved areas by a concrete curb 6 inches higher than the adjoining paving.
8. All utilities serving the site shall be installed underground.
9. The development shall comply substantially with the plans filed with the application and these conditions of approval.
10. All provisions for disposal of runoff water shall be approved by the Director of Public Works.
11. This approval shall be null and void unless Resubdivision No. 290 is approved and completed.
12. Gasoline delivery - no delivery tanker shall be permitted to park on public right-of-ways during gasoline delivery.
13. Parking - ~~2 spaces per pump.~~  
~~4 spaces per lube rack or service bay.~~  
~~1 space per employee at peak staffing.~~
14. The Commission may require the construction of 6 foot high decorative walls utilizing materials similar in color, texture and module to those used on the building, at such time as the property adjacent is proposed for development by virtue of a building permit. Such walls shall be reduced to 3 feet in height within 20 feet of the street.

TO: Planning Commission - 4.

property lines. Such walls need not be erected when building walls already exist on the property lines.

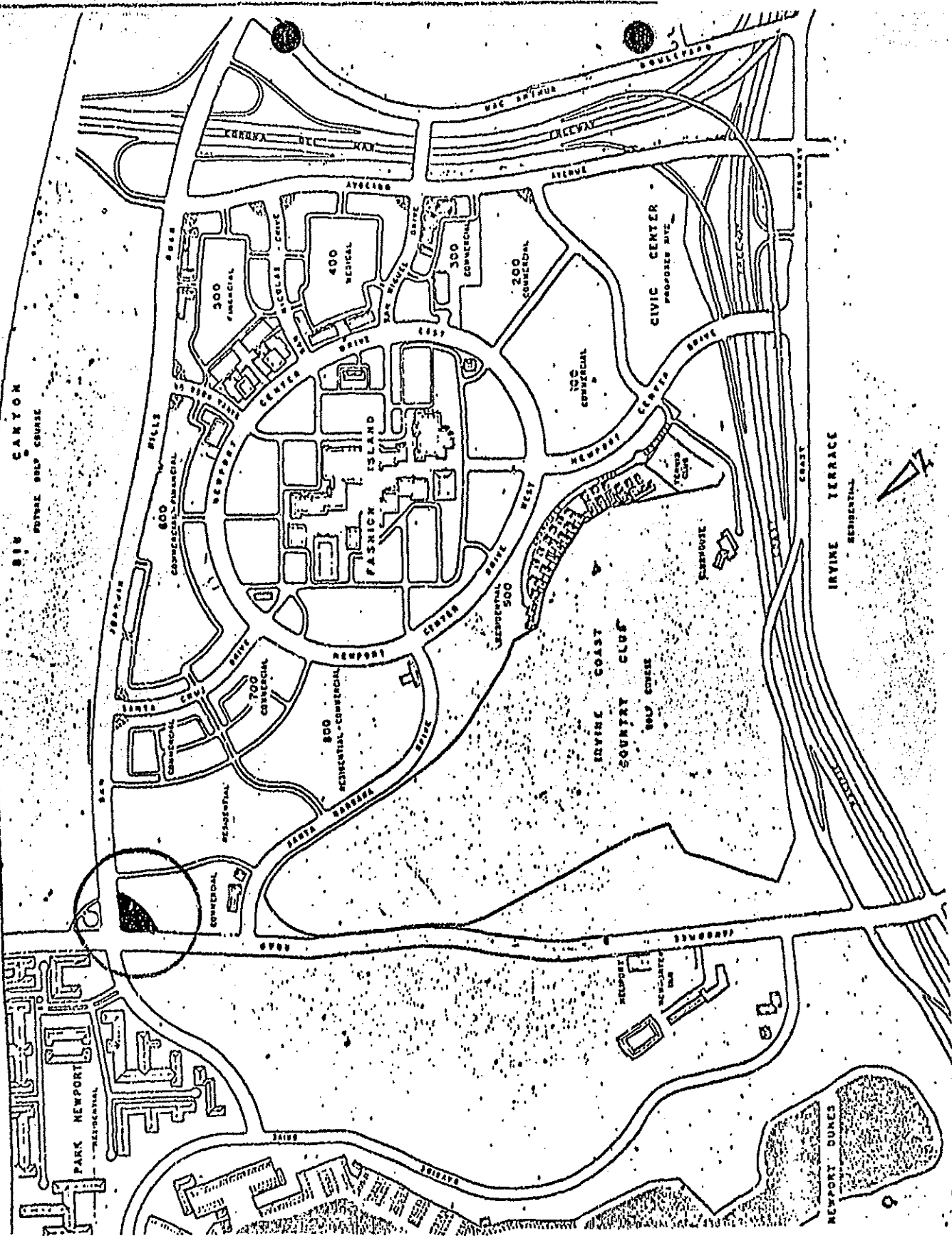
15. The Planning Commission shall reserve the right without necessity of further hearings to require minor modifications of any of the foregoing conditions on the working drawings if such modifications will achieve substantially the same results and will in no way be detrimental to adjacent properties and improvements than will the strict compliance with said conditions and preliminary plans.



James E. Huzum  
Senior Planner

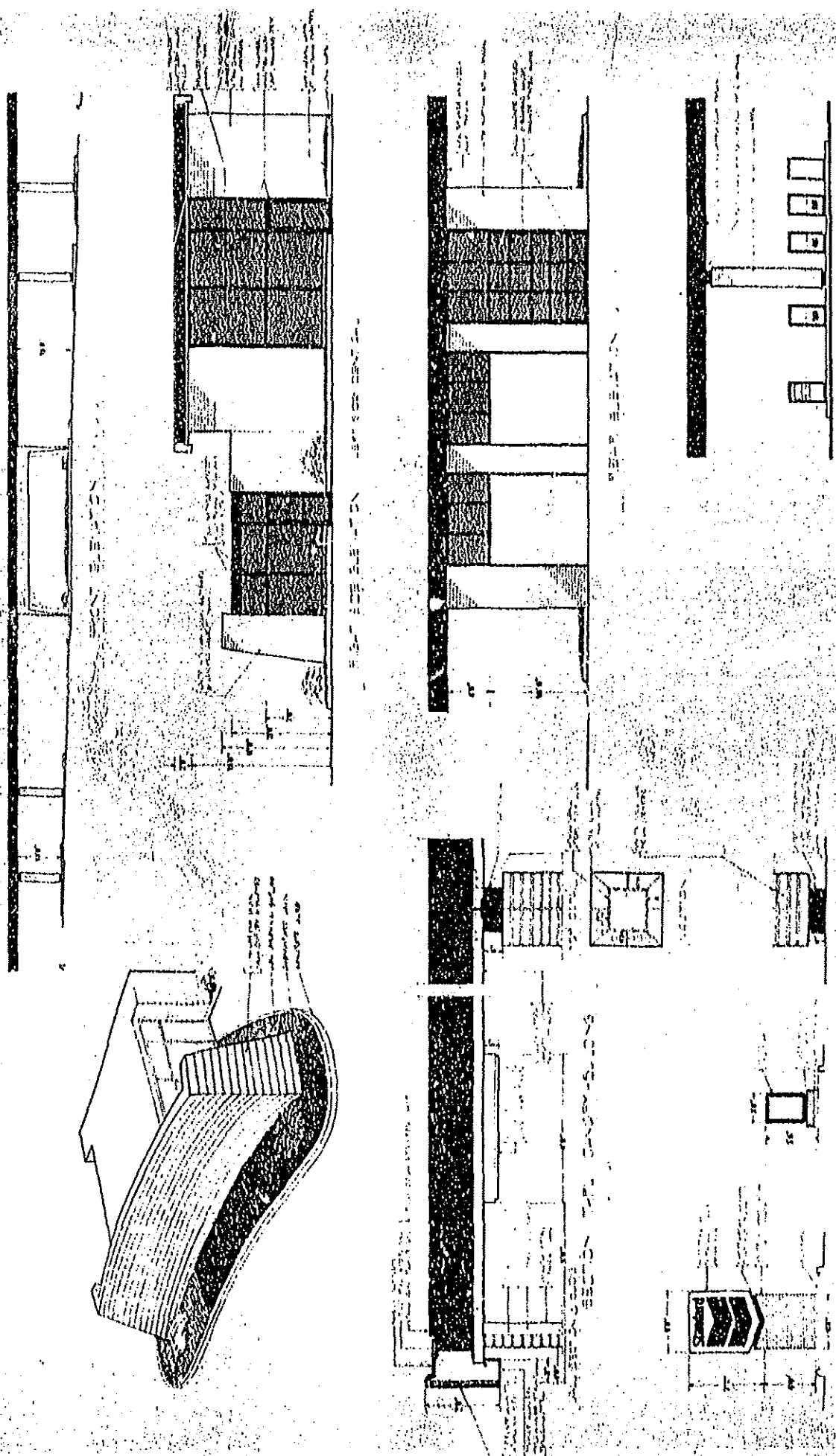
JEN:hh

Attachments: Vicinity Map  
Development Plans



U.P. 1496 &  
RESUB # 290





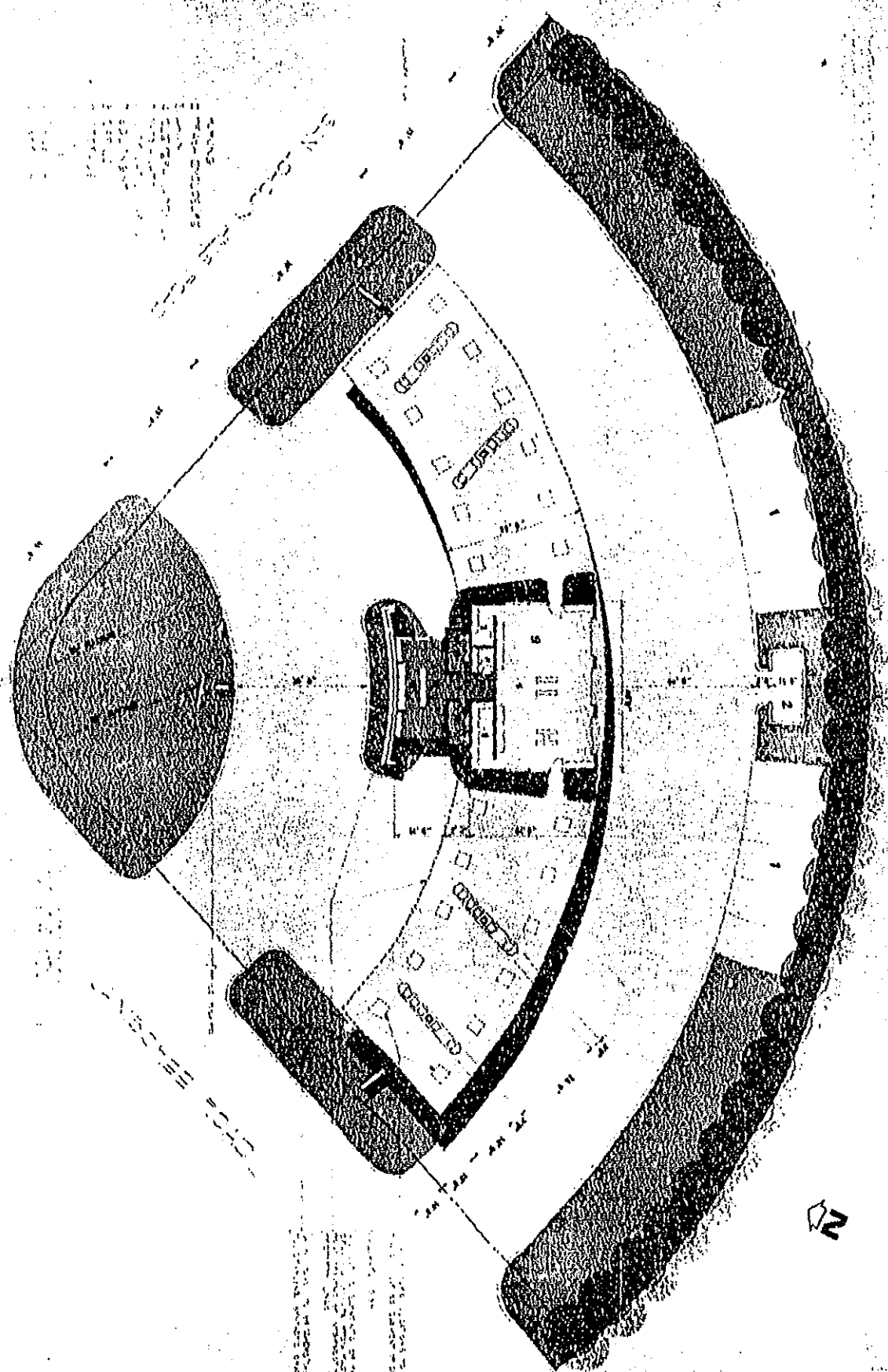
**PROPOSED STANDARD OIL SERVICE STATION - NEWPORT CENTER**  
**JAMBORREE ROAD & SAN JOAQUIN HILLS ROAD**  
**NEWPORT BEACH, CALIFORNIA**

**PROPOSED STANDARD OIL SERVICE STATION -**

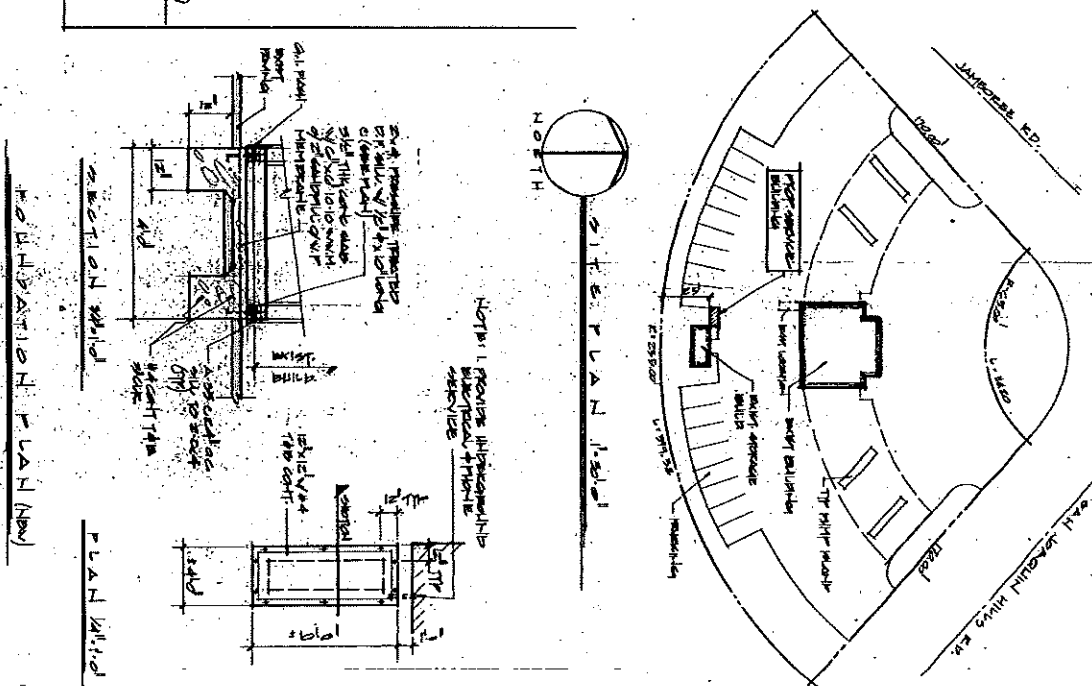
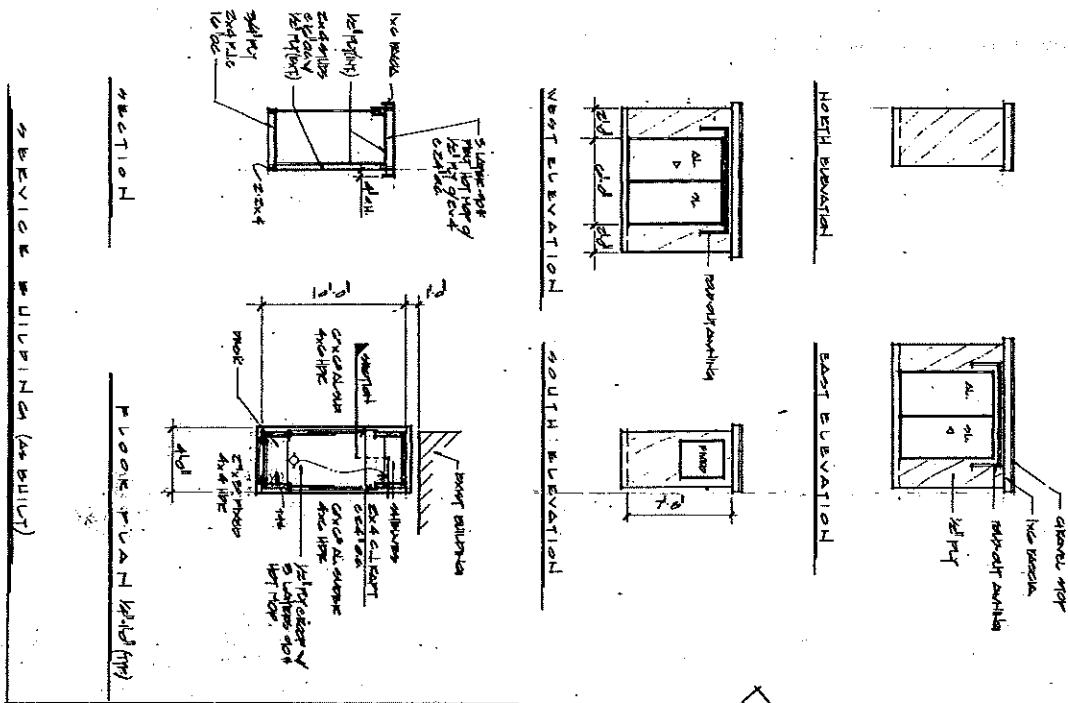
**NEWPORT CENTER -**

JAMBORRE ROAD & SAN JOAQUIN HILLS ROAD

NEWPORT BEACH, CALIFORNIA



22



PROPOSED SERVICE BUILDING FOR:  
**NEWPORT CENTER CHEVRON, INC.**  
 RALPH & JIM SCHMIDT  
 1550 JAMES RD.,  
 NEWPORT BEACH, CA, 92660  
 714/440-9060

PREPARED BY:  
 JEFF CHAMBERS  
 711 W. 17TH ST., ST. FB  
 COSTA MESA  
 CA 92627  
 714/540-1200

October 9, 1986

WINDURN  
TURNER  
PERSON  
MERRILL  
KIRLANDER  
KOPPELMAN  
EICHENHOFFER

## CITY OF NEWPORT BEACH

## ROLL CALL

## INDEX

Motion  
Ayes  
Absent

x x x x x  
x x

There being no one desiring to appear and be heard, motion was made to approve Planning Commission Review No. 4, subject to the findings and conditions of approval in Exhibit "A". Motion voted on, MOTION CARRIED.

FINDINGS:

1. The proposed development will be aesthetically compatible with the structure and the surrounding area.
2. The proposed solar equipment will not intrude on views, or light and air, from adjoining residential property.

CONDITIONS:

1. That development shall be in substantial conformance with the approved plot plan, roof plan, and elevations.
2. That the proposed solar equipment shall comply with the City's Building, Plumbing and Mechanical Codes.

Use Permit No. 1496 (Amended) (Public Hearing)

Request to amend a previously approved use permit which permitted the establishment of an automobile service station on property located in the C-O-H District. The proposed amendment includes a request to construct a new office and trash enclosure at the rear of the existing service station.

**LOCATION:** Parcel No. 1 of Parcel Map 34-40 (Resubdivision No. 290), located at 1550 Jamboree Road, on the southeasterly corner of San Joaquin Hills Road and Jamboree Road, across the street from the Big Canyon Planned Community.

**ZONE:** C-O-H

Item No. 3UP1496AApproved



October 9, 1986

WINSBURN  
TURNER  
PERSON  
MERRILL  
KURLANDER  
KOPPELMAN  
EICHENHOFFER

## CITY OF NEWPORT BEACH

ROLL CALL

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APPLICANT: Newport Center Chevron, Inc., Newport Beach

OWNER: The Irvine Company, Newport Beach

In response to a question posed by Commissioner Kurlander, James Hewicker, Planning Director, replied that the previously approved dispatcher's booth shall be removed from the site no later than when the proposed construction is completed.

The public hearing was opened in connection with this item, and Mr. Joe Schulte, appeared before the Planning Commission on behalf of the applicant. Mr. Schulte confirmed that the dispatchers booth will be removed from the site as soon as the proposed construction is completed. He stated that the applicant concurs with the findings and conditions in Exhibit "A".

Commissioner Merrill referred to the Planning Commission meeting of August 8, 1985, Condition No. 4, and commented that the required trash enclosure had not been constructed. Mr. Schulte replied that when the current owner purchased the subject service station in 1985, an office had been constructed on the required trash enclosure area. Chairman Turner commented that instead of the required trash enclosure, the area was closed off to be used as storage.

Mr. Hewicker pointed out that the trash bin on the northeast side of the building was required to be placed in a solid wall enclosure with solid gates at the August 8, 1985, Planning Commission public hearing. Although this requirement has not been completed, he said that the problem will be corrected inasmuch as the current proposal includes the required trash enclosure.

The public hearing was closed at this time.

Motion  
Ayes  
Absent

x x x x x  
x x

Motion was made to approve Use Permit No. 1496 (Amended) subject to the findings and conditions in Exhibit "A". Motion voted on, MOTION CARRIED.

FINDINGS

1. That the existing automobile service station is consistent with the Land Use Element of the General Plan and is compatible with surrounding land use.

October 9, 1986

WINBURN  
TURNER  
PERSON  
MERRILL  
KURLANDER  
KOPPELMAN  
EICHENHOFFER

## CITY OF NEWPORT BEACH

ROLL CALL

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2. That adequate off-street parking spaces are being provided in conjunction with the service station operation.
3. That the proposed office and trash enclosure are minor additions to the existing service station operation and will not significantly alter the physical character of the service station use.
4. The approval of Use Permit No. 1496 (Amended), will not, under the circumstances of this case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

CONDITIONS:

1. That development shall be in substantial conformance with the approved plot plan, floor plan, and elevations except as may be noted below.
2. That all previous applicable conditions of approval of Use Permit No. 1496 shall be fulfilled.
3. That the previous approval of Use Permit No. 1496 (Amended), as approved by the Planning Commission on August 8, 1985 is hereby null and void.
4. That the previously approved dispatcher's booth shall be removed from the site.
5. That all improvements be constructed as required by ordinance and the Public Works Department.
6. That arrangements be made with the Public Works Department in order to guarantee satisfactory completion of the public improvements, if it is desired to obtain a building permit prior to completion of the public improvements.
7. That the on-site parking, vehicular circulation and pedestrian circulation systems shall be subject to further review by the Traffic Engineer.



October 9, 1986

WINBURN  
TURNER  
PERSON  
MERRILL  
KURLANDER  
KOPPELMAN  
EICHENHOFFER

## CITY OF NEWPORT BEACH

ROLL CALL

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8. That the tree-damaged sidewalk on Jamboree Road and the deteriorated curb and drive aprons where existing parkway drains exist shall be reconstructed under an encroachment permit issued by the Public Works Department.
9. That the applicant shall provide a solid masonry wall enclosure with solid gates for all trash bins and outdoor storage areas.
10. That the Planning Commission may add or modify conditions of approval to this use permit, or recommend to the City Council the revocation of this use permit, upon a determination that the operation which is the subject of this use permit, causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.
11. That this use permit shall expire unless exercised within 24 months from the date of approval as specified in Section 20.80.09C A of the Newport Beach Municipal Code.

\* \* \*

~~Use Permit No. 3333 (Public Hearing)~~

Item No. 4

~~Request to permit the establishment of a dry cleaning facility on property located in the Mariner's Mile Specific Plan Area and which is located in the Mariner's Mile Square Commercial Center.~~

~~UP3233~~~~Approved~~

~~LOCATION: Parcel No. 1, Parcel Map 73-22, 23 (Resubdivision No. 487), located at 2700 West Coast Highway, on the northwesterly corner of West Coast Highway and Tustin Avenue, in the Mariner's Mile Specific Plan Area.~~

~~ZONE: SP-5~~

~~APPLICANT: Celebrity Cleaners, West Hollywood~~

~~OWNER: Mariner's Mile Company, Newport Beach~~

~~The public hearing was opened in connection with this item, and Mr. Ali Samaha, applicant, appeared before the Planning Commission. Mr. Samaha stated that he concurs with the findings and conditions in Exhibit "A".~~

CITY OF NEWPORT BEACH

TO: Planning Commission  
FROM: Planning Department  
SUBJECT: Use Permit No. 1496 (Amended) (Public Hearing)

Request to amend a previously approved use permit which permitted the establishment of an automobile service station on property located in the C-O-H District. The proposed amendment includes a request to construct a new office and trash enclosure at the rear of the existing service station.

LOCATION: Parcel No. 1 of Parcel Map 34-40 (Resubdivision No. 290), located at 1550 Jamboree Road, on the southeasterly corner of San Joaquin Hills Road and Jamboree Road, across the street from the Big Canyon Planned Community.

ZONE: C-O-H

APPLICANT: Newport Center Chevron, Inc., Newport Beach

OWNER: The Irvine, Company, Newport Beach

ACTION:

Application

This is a request to amend a previously approved use permit which permitted the establishment of an automobile service station on property located in the C-O-H District. The proposed amendment includes a request to permit the construction of a new office and trash enclosure. In accordance with Sections 20.34.020 and 20.70.030 of the Newport Beach Municipal Code, automobile service stations are a permitted use in the C-O-H District, subject to the approval of a use permit in each case. Use permit procedures are set forth in Chapter 20.80 of the Municipal Code.

Environmental Significance

This project has been reviewed, and it has been determined that it is categorically exempt under Class 1 (Existing Facilities) from the requirements of the California Environmental Quality Act.

Conformance with the General Plan

The Land Use Element of the General Plan designates the subject property for "Retail Service Commercial" uses. The existing service station is a permitted use within this designation, subject to the approval of a use permit.



TO:

Planning Commission -2.

### Subject Property and Surrounding Land Uses

The subject property is currently developed with an operating full service Chevron Automobile Service Station. To the northwest, across Jamboree Road, is vacant undeveloped land; to the northeast, across San Joaquin Hills Road, is an automobile service station and residential uses in the Big Canyon Planned Community; to the southeast is an office complex within the Civic Plaza Planned Community; and to the southwest is an automobile sales facility.

### Background

At its meeting of December 2, 1970, the Planning Commission approved Use Permit No. 1496 which permitted the establishment of the existing service station. Said action was subject to no findings and 15 conditions of approval. In conjunction with the approval of Use Permit No. 1496, the Planning Commission approved Resubdivision No. 290 which permitted the resubdivision of an existing parcel of land into one parcel for the subject service station and one parcel for landscaping purposes. Said action was subject to no findings and 6 conditions of approval. An excerpt of the December 2, 1970 Planning Commission minutes, which set forth the conditions of approval for the above applications, has been attached for the Planning Commission's information.

In 1972, the City adopted Ordinance No. 1411 which established specific development standards for automobile service stations. Although the subject service station predates the adoption of said ordinance, in most cases it meets or exceeds the development standards applicable to new service stations.

At its meeting of August 8, 1985, the Planning Commission approved Use Permit No. 1496 (Amended) which permitted the construction of a small portable office booth to be used in conjunction with the service department of the existing service station. Attached for the Planning Commission's information is an excerpt of the Planning Commission minutes dated August 8, 1985.

### Analysis

The applicant is now proposing to remove the previously approved dispatcher's booth and construct a small office at the rear of the service station which will include a new dispatcher's office as well as an office for the service and repair operation at the service station. The new office will contain approximately 130.5 sq.ft. of floor area.

In addition to the new office, the applicant is also proposing to construct a new trash enclosure which will contain approximately 100 square feet.

### Off-Street Parking

In accordance with the originally approved Use Permit No. 1496, the existing service station is required to maintain 17 off-street parking



TO:

Planning Commission -3.

spaces. As shown on the attached site plan there are currently 17 parking spaces located along the rear of the site, which the applicant intends to retain. The applicant has also indicated that the proposed office addition will not result in an increase in the number of employees on the site; therefore, no additional parking spaces should be required at this time. It is staff's further opinion that the existing 17 parking spaces are adequate for the proposed service station operation.

#### Previous Illegal Conversion of Trash Bins

In conjunction with the Planning Commission's consideration of the previously approved Use Permit No. 1496 (Amended), staff reported to the Planning Commission that the existing storage building at the rear of the site was originally approved as a trash enclosure and was illegally converted to an enclosed storage space at some unknown date. Staff further indicated that they had no objections to said conversion of the trash area as long as suitable replacement facilities were provided. As a result, the Planning Commission required that the applicant provide a solid masonry wall enclosure with solid gates for all trash bins and outdoor storage areas (Condition No. 3 of Use Permit No. 1496 (Amended)). The proposed trash enclosure is in fulfillment of that condition.

#### Interior Property Line Setback

In accordance with Section 20.70.060 of the Municipal Code, all buildings within new automobile service stations are required to maintain a minimum 18 foot setback from any interior property line. In accordance with the submitted plans, it appears that the proposed office addition and new trash enclosure will maintain only a 15± foot setback from the southeasterly property line. Section 20.70.70 (d) of the Municipal Code provides that any remodeling or rebuilding of any service station, to the extent which would require the approval of a use permit, shall be designed so as to comply as nearly as possible with the standards set forth for new service stations. It is staff's opinion that the proposed 15± foot setback from the southeasterly property line is acceptable inasmuch as the new construction will maintain the same setback as an existing structure which is now being used as a storage area. It is staff's further opinion that the 15± foot setback will be adequate inasmuch as said setback is heavily landscaped and screened from the adjoining property.

#### Specific Findings and Recommendations

Section 20.80.060 of the Newport Beach Municipal Code provides that in order to grant any use permit, the Planning Commission shall find that the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property improvements in the neighborhood or the general welfare of the City.

TO: Planning Commission -4.

Staff recommends approval of Use Permit No. 1496 (Amended) and suggests that the Planning Commission take such action subject to the findings and conditions set forth in the attached Exhibit "A"

PLANNING DEPARTMENT  
JAMES D. HEWICKER, Director

By W. William Ward  
W. William Ward  
Senior Planner

WWW/11  
UPA12

Attachments: Exhibit "A"  
Vicinity Map  
Excerpt of the Planning Commission minutes  
dated December 2, 1970 and August 8, 1985  
Plot plan, floor plan and elevations



EXHIBIT "A"  
FINDINGS AND CONDITIONS OF APPROVAL  
OF USE PERMIT NO. 1496 (AMENDED)

FINDINGS

1. That the existing automobile service station is consistent with the Land Use Element of the General Plan and is compatible with surrounding land use.
2. That adequate off-street parking spaces are being provided in conjunction with the service station operation.
3. That the proposed office and trash enclosure are minor additions to the existing service station operation and will not significantly alter the physical character of the service station use.
4. The approval of Use Permit No. 1496 (Amended), will not, under the circumstances of this case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

CONDITIONS:

1. That development shall be in substantial conformance with the approved plot plan, floor plan, and elevations except as may be noted below.
2. That all previous applicable conditions of approval of Use Permit No. 1496 shall be fulfilled.
3. That the previous approval of Use Permit No. 1496 (Amended), as approved by the Planning Commission on August 8, 1985 is hereby null and void.
4. That the previously approved dispatcher's booth shall be removed from the site.
5. That all improvements be constructed as required by ordinance and the Public Works Department.
6. That arrangements be made with the Public Works Department in order to guarantee satisfactory



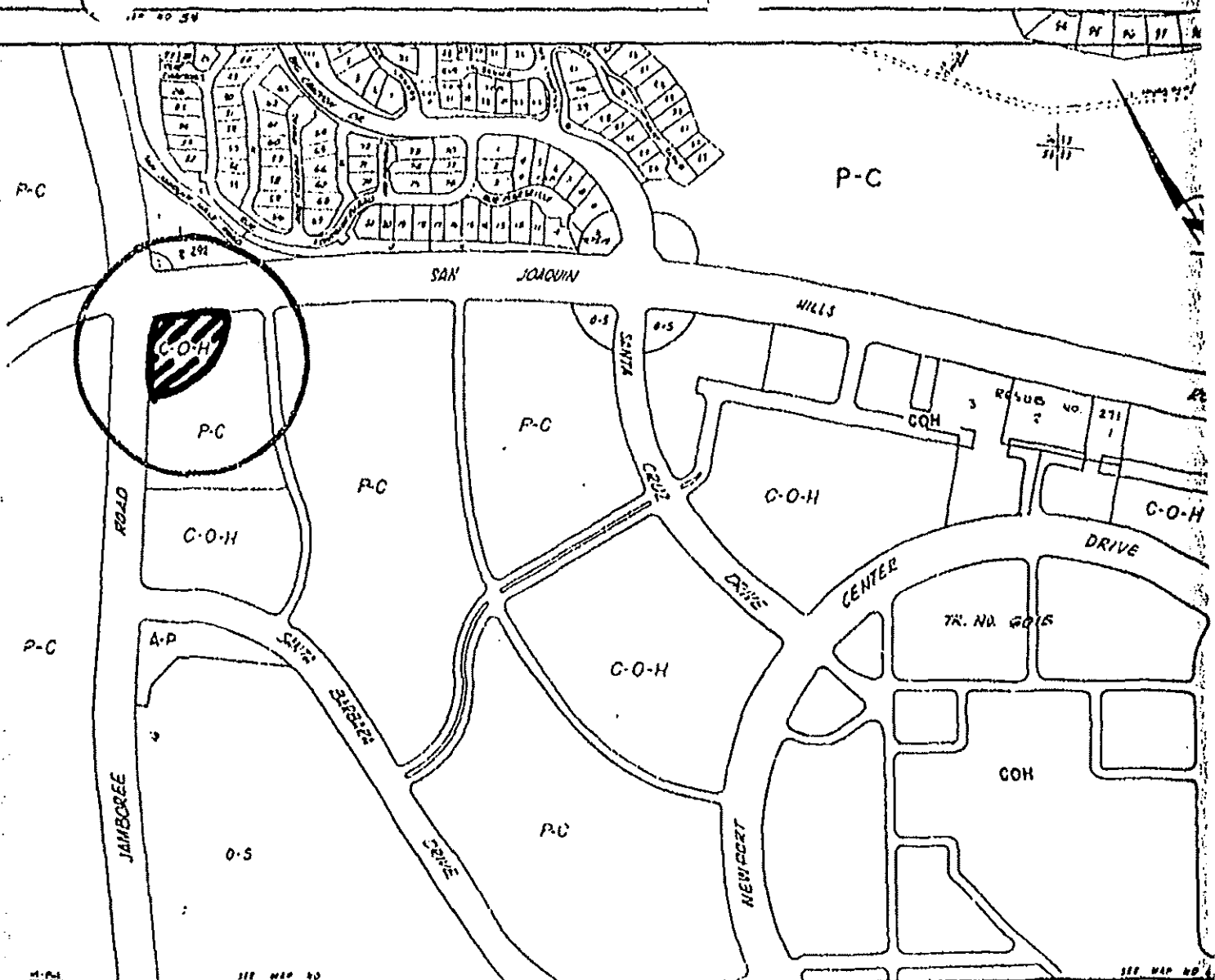
TO:

Planning Commission -6.

completion of the public improvements, if it is desired to obtain a building permit prior to completion of the public improvements.

7. That the on-site parking, vehicular circulation and pedestrian circulation systems be subject to further review by the Traffic Engineer.
8. That the tree-damaged sidewalk on Jamboree Road and the deteriorated curb and drive aprons where existing parkway drains exist be reconstructed under an encroachment permit issued by the Public Works Department.
9. That the applicant shall provide a solid masonry wall enclosure with solid gates for all trash bins and outdoor storage areas.
10. That the Planning Commission may add or modify conditions of approval to this use permit, or recommend to the City Council the revocation of this use permit, upon a determination that the operation which is the subject of this use permit, causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.
11. That this use permit shall expire unless exercised within 24 months from the date of approval as specified in Section 20.80.090 A of the Newport Beach Municipal Code.

# VICINITY MAP



## DISTRICTING MAP CITY OF NEWPORT BEACH CALIFORNIA

DISTRICT	REVISIONS				REVISIONS	
	DATE	LOCATION	REVISION	DATE	LOCATION	REVISION
1. AGRICULTURAL-RESIDENTIAL DISTRICT	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55
2. SINGLE FAMILY DISTRICT	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55
3. DUPLEX RESIDENTIAL DISTRICT	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55
4. RESTRICTED MULTIPLE RESIDENTIAL	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55
5. MULTIPLE RESIDENTIAL DISTRICT	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55
6. COMBINING IN "B" DISTRICT	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55	1-1-55

USE PERMIT NO. 1496 (AMENDED)

September 24, 1986

TO: PLANNING DEPARTMENT  
FROM: Public Works Department  
SUBJECT: USE PERMIT NO. 1496 AMENDED CONDITIONS OF APPROVAL

CONDITIONS:

1. That all improvements be constructed as required by ordinance and the Public Works Department.
2. That arrangements be made with the Public Works Department in order to guarantee satisfactory completion of the public improvements, if it is desired to obtain a building permit prior to completion of the public improvements.
3. That the on-site parking, vehicular circulation and pedestrian circulation systems be subject to further review by the Traffic Engineer.
4. That the tree-damaged sidewalk on Jamboree Road and the deteriorated curb and drive aprons where existing parkway drains exist be reconstructed under an encroachment permit issued by the Public Works Department.

  
Don Webb  
City Engineer

RLH:jld

## **Attachment No. PC 3**

Table 1:

Service Station Design and Development  
Standards

Table 2: Landscaping Standards

**TABLE 1: SERVICE STATION DESIGN AND DEVELOPMENT STANDARDS**

	REQUIREMENT				PROPOSED PROJECT
<b>Location</b>	All service station sites shall front on streets designated as major, primary or secondary on the City Master Plan of Streets and Highways unless the sites are part of or in conjunction with developments such as shopping centers in residential areas.				<b>Complies.</b> The location of the existing service station will remain the same. Jamboree Road and San Joaquin Hills Road are classified as "major" streets per the City Master Plan of Streets and Highways (Circulation Element).
<b>Minimum Land Area</b>	The minimum land area for service stations shall be 1,500 square feet of land area for each fueling space, 1,000 square feet for each service bay or washing bay, and 3.33 square feet for each square foot of gross floor area used for retail and/or food and beverage sales.				<b>Complies.</b> 16 fueling space x 1,500 sq ft = 24,000 sq ft 2 washing bays x 1,000 sq ft = 2,000 sq ft  convenience market gross floor area – 2,256.4 sq ft x 3.33 sq ft = (7,513.8 sq ft) = 7,514 sq ft Total Minimum Land Area Required = 33,514 sq ft Existing Land Area of Site 43,313 sq ft
<b>Required Setbacks</b>	<b>Structure</b>	<b>Interior</b>	<b>Abutting a Public Right-of-Way</b>	<b>Abutting an Alley</b>	<b>Complies.</b> The location of the existing service station canopies, service islands, building, retail and office areas, and air and water dispensers comply with the required setbacks. The proposed car wash building will be located a minimum 18 ft from the rear property line and will comply with the required setback for automobile washing.
	Service islands	20 ft	20 ft	20 ft	
	Canopies	5 ft	5 ft	5 ft	
	Air and water dispensers	10 ft	10 ft	10 ft	
	Automobile washing, maintenance and repair	18 ft	30 ft	30 ft	
	Retail and office	0 ft	15 ft	10 ft	
<b>Parking</b>	Pursuant to Section 20.40.030 (Requirements for Off-Street Parking): number of parking spaces required is based on the land uses located on the site. - <u>Service stations with convenience markets</u> require one space per 200 square feet of gross floor area. - <u>Automobile washing</u> requires a queue for 5 cars per washing station.				<b>Complies.</b> <u>Convenience market</u> gross floor area = 2,256 parking spaces required = 12 (2,256 sq ft/200)  <u>Automated car wash</u> = (1) washing station Queue – 5 (5 cars per washing station)  Total spaces required = 17 (12 + 5)  *18 spaces on existing site: 3 existing service bays (to be removed)-required 5 spaces per bay
<b>Utilities</b>	All utilities shall be installed underground within the exterior property lines of the site.				<b>Complies.</b> The existing utilities shall remain in place. There are no new utilities proposed to be installed as part of the project.

	REQUIREMENT	PROPOSED PROJECT
Access	<p>-Driveways shall be so designed and located as to ensure a safe and efficient movement of traffic on and off the site to and from the lane of traffic nearest the curb. All driveways shall be located and constructed according to the City of Newport Beach Driveway Approach Policy.</p> <p>-Driveways for service stations which are developed as part of or in conjunction with adjacent uses shall be located as part of the total circulation element of such adjacent uses.</p> <p>-On-site driveways all should be a minimum of 25 feet for two-way traffic or 18 feet for one way circulation.</p> <p>-On-site queuing lanes shall be provided. Queuing lanes shall not interfere with access to required parking spaces.</p>	<p><b>Complies.</b></p> <p>The location of the existing driveways along Jamboree and San Joaquin Hills Roads will remain unchanged and comply with City standards. On-site circulation for the existing service station and the proposed queuing lanes have been reviewed and approved by the Public Works Department.</p>
Drainage and Pollution Control	<p>All drainage to the street shall be by underground structures to avoid drainage across City walks or drive aprons. In addition, service stations shall incorporate pollution control best management practices (BMPs) designed to prevent or minimize runoff of oil and grease, solvents, car battery acid, coolant, gasoline, and other pollutants into the storm water system. The Public Works director shall approve drainage and pollution control methods, if appropriate.</p>	<p><b>Complies.</b></p> <p>A condition of approval has been included which will require the submittal and approval of a WQMP (Water Quality Management Plan) by the Building and Public Works departments prior to building permit issuance.</p>
Site and Architectural Design	<p>The site plan and architecture of the service station shall provide an attractive appearance that is compatible with and complimentary to the community and surrounding land uses and development and that is consistent with the <i>City of Newport Beach Design Guidelines: Automobile Service Stations and Washing</i> (See discussion below)..</p>	<p><b>Complies.</b></p> <p>The proposed project has been designed to be compatible with the surrounding land uses and architecturally compatible with surrounding development. The project involves aesthetic improvements to the existing building and updated landscaping plantings to add to the overall appearance of the site. Additional discussion of <i>City of Newport Beach Design Guidelines: Automobile Service Stations and Washing</i> below).</p>
Landscaping	<p>See <b>Landscaping Development Standards Table 2</b> and discussion below for specific landscaping requirements.</p>	
Perimeter Walls	<p>Service station sites shall be separated from abutting residentially-zoned property or property used for residential purposes by 6 foot high masonry or concrete wall utilizing materials similar in color, module and texture to those utilized in the building. Such walls shall be reduced to 3 feet in height within adjacent street setback areas. Such walls need not be installed when building walls or other acceptable walls already exist on such property lines</p>	<p><b>Not Applicable.</b></p> <p>The subject property does not abut residentially zoned property.</p>
Refuse Storage Areas	<p>Refuse storage areas shall be enclosed by walls and integrated with the design of the service station in compliance with Section 20.30.120 (Solid Waste Recycling and Storage).</p>	<p><b>Complies.</b></p> <p>A detailed plan for a new trash enclosure, which complies with the City's requirements, has been provided as part of the proposed project (sheet A2.3).</p>

	REQUIREMENT	PROPOSED PROJECT
Lighting	Exterior light sources shall be shielded from view and directed away from adjacent properties in compliance with Section 20.30.070 (Outdoor Lighting). Luminaries shall be of a low level, indirect diffused type and shall not exceed a height of 20 feet above existing grade.	<b>Complies.</b> Existing and proposed on-site lighting complies with these requirements. A photometric study of the site (sheet LO90706-1) is included in the submitted plans. A condition of approval is included to require a night-time lighting inspection of the site be performed by the Code Enforcement Department after installation of lighting for the new car wash area is completed. An additional photometric study will be required, if the Code Enforcement Department determines that light on the site does not comply with the City's standards for lighting.
Rest Rooms	One men's rest room and one women's rest room shall be provided during business hours for use by service station customers. Rest rooms with exterior entrances shall be located so the entrances are in clear view of the station's service area, cashier station, or office.	<b>Complies.</b> Interior walls of the existing service station will be completely removed. The proposed redesign of the interior will provide ADA compliant restrooms for both male and female customers.
Fuel Tank Vents	Fuel tank vents shall be located at the rear of the property or other inconspicuous location and shall be screened from public view.	<b>Complies.</b> The existing fuel tank vents (EVR) are located on the side of the rear wall of the service station building. A condition of approval is included which requires that the vents be screened and painted to blend in with the remodeled building or be moved to a location at the rear of the property, screened with landscaping and painted to match the landscaping.

**TABLE 2: LANDSCAPING STANDARDS**

REQUIREMENT	PROPOSED PROJECT
<b>Area Required:</b> - A minimum of 15 percent of the site shall be landscaped with plant materials designed to provide beautification and screening.	<b>Complies.</b> Site = 43,314 sq ft x 15% = 6,497 sq ft Landscaping provided on-site = 7,332 sq ft (112.8%)
- A minimum 5 foot-wide (inside dimension) planting areas between driveway approaches.	<b>Complies.</b> The landscaped areas vary from 9' 10" to 12' 0" wide.
- A minimum of 150 square foot landscaped area provided at the intersection of two property lines at a street corner. Landscape materials shall not exceed a height of 36 inches.	<b>Complies.</b> The existing landscaped area at the intersection of Jamboree Road and San Joaquin Hills Road is a separate parcel owned by the Irvine Company. It is not expected that the ownership of the parcel will change in the future. There is a monument sign identifying Fashion Island and mature trees on the parcel.
- A minimum 5 foot-wide (inside dimension) planting area along interior property lines, except where openings are needed to facilitate vehicular circulation to adjacent properties.	<b>Complies.</b> The landscaped areas vary from 8'4" to 17' 8" wide.
<b>Area Required:</b> - A minimum of 30 percent of the required landscaping shall be provided within 20 feet of the street property lines.	<b>Complies.</b> Landscaped area required = 6,497 sq ft (43,314 sq ft x 15%) <u>Within 20' of street property lines</u> Required = 1,949 sq ft (6,497 sq ft x 30%) Provided = 2140 sq ft (33%)
<b>Quantity of Materials:</b> Landscaped areas adjacent to street property lines shall be planted with a minimum of 1 tree and 3 shrubs per every 25 linear feet of street frontage. Landscaped areas adjacent to interior property lines shall be planted with a minimum of 1 tree and 3 shrubs per every 30 linear feet. These calculations establish the minimum number of required trees and shrubs and are not meant to imply linear or equal spacing. Required trees shall be 24-inch box size, or larger. Required shrubs shall have a minimum mature growth height of 18 inches and shall be a minimum of 5-gallon in size upon installation.	<b>Partially Complies, Modification or Waiver of Design Standards Sought.</b> <u>Adjacent to street property lines:</u> (Linear street frontages: San Joaquin Hills – 169' + Jamboree Road 169' = 338 linear ft) <u>Required:</u> trees (338'/25') = 14 – provided 4 shrubs (338'/25' x 3) = 41 – provided 158  <u>Adjacent to interior property lines:</u> (367'/30 linear ft): <u>Required:</u> trees (367'/30') = 13 - provided = 29 shrubs (367'/30' x 3) = 37 - provided = 36  A modification or waiver to the landscaping standards is required to allow: 10 fewer trees adjacent to the street property lines and one less shrub adjacent to the interior property line.



<p><b><u>Quality of Materials:</u></b> Plant materials shall be chosen for their screening qualities, beauty and durability. Plantings shall include a mixture of trees, shrubs and groundcovers. All plant materials shall conform to or exceed the plant quality standards of the latest edition of <i>American Standard for Nursery Stock</i> published by the American Association of Nurserymen, or the equivalent.</p>	<p><b><u>Complies.</u></b> A condition of approval is included to require that the final design will be reviewed by the General Services Department prior to the issuance of building permits.</p>
<p><b><u>Street Trees:</u></b> City parkway areas shall be provided with groundcover and street trees as per City standards</p>	<p><b><u>Complies:</u></b> Two existing City trees located in tree wells adjacent to Jamboree Road will remain in place.</p>
<p><b><u>Barriers:</u></b> Planting areas adjacent to vehicular activity shall be protected by a continuous concrete curb or similar permanent barrier.</p>	<p><b><u>Complies.</u></b> Curb provided. Compliance with this requirement will be verified during plan check and field inspections.</p>
<p><b><u>Sight Distances:</u></b> Landscaping shall be located so as not to impede vehicular sight distance in compliance with Section 20.30.130 (Traffic Safety Visibility Area) and to the satisfaction of the Public Works Director</p>	<p><b><u>Complies.</u></b> Per plans submitted, new landscaping will be located adjacent to the existing service station building and will not impede vehicular sight distance.</p>
<p><b><u>Irrigation:</u></b> All planting areas shall be provided with a permanent underground automatic sprinkler irrigation system of a design suitable for the type and arrangement of the plant materials selected.</p>	<p><b><u>Complies.</u></b> Irrigation system plan and plantings provided (plan sheets L3 and L4). The final design will be reviewed by the General Services Department prior to the issuance of building permits.</p>
<p><b><u>Required Plans:</u></b> The Director shall approve landscape planting and sprinkler irrigation plans and specifications before issuance of a building permit, if appropriate.</p>	<p><b><u>Complies.</u></b> Standard included in the proposed conditions of approval</p>
<b>REQUIREMENT</b>	<b>PROPOSED PROJECT</b>
<p><b><u>Maintenance of Landscaping:</u></b></p> <ol style="list-style-type: none"> <li>Landscape materials and landscaped areas shall be maintained in compliance with the approved landscape plan.</li> <li>Landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming.</li> <li>Landscaped areas shall be kept free of weeds and debris.</li> <li>Irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.</li> </ol>	<p><b><u>Complies.</u></b> Conditions of approval are included to ensure compliance with these requirements.</p>

## **Attachment No. PC 4**

City of Newport Beach Design  
Guidelines: Automobile Service Stations  
and Washing

# City of Newport Beach Design Guidelines

ADOPTED BY RESOLUTION NUMBER 99-37  
MAY 24, 1999

City of Newport Beach  
Design Guidelines

Table of Contents

- I. Introduction and Purpose
- II. Design Guidelines
  - A. General
    - 1. Site Relationships
    - 2. Landscape Design
    - 3. Off-Street Parking Design
  - B. Residential
  - C. Commercial
  - D. Signs
  - E. Additional Design Guidelines for Special Development Types
    - 1. Automobile Service Stations and Washing
  - F. Additional Design Guidelines for Special Districts and Sites

## I. Introduction and Purpose

The Design Guidelines are intended to provide design criteria for architects, engineers, builders, developers and landscape architects during the planning and conceptual development stages of their projects. These guidelines also provide a basis for those individuals or bodies having discretionary authority to review and evaluate the design of these projects.

These guidelines are not intended to restrict creativity, variety, innovation or imagination, but rather to assist the designer in achieving a quality design which will enhance the proposed development and the City, and be compatible with adjacent development and land uses.

These guidelines are not regulatory, but rather advisory on the part of the City's approval authority. They shall be used to evaluate a project's consistency with City policies, particularly those relating to visual quality, community character, and the protection of adjacent development and land uses. Furthermore, should any conflict exist between these guidelines and codified development regulations, the development regulations shall prevail.

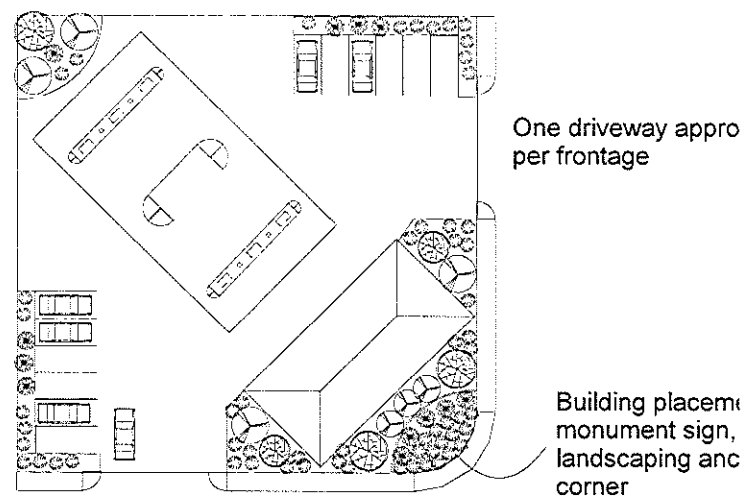
## Additional Design Guidelines for Special Development Types

### Automobile Service Stations and Washing

See Chapter 20.80 of the City of Newport Beach Zoning Code for land use and property development regulations. In addition to the design guidelines contained herein, the service station design shall be consistent with any design criteria or guidelines adopted by the City Council for the commercial district within which the service station is located, if any.

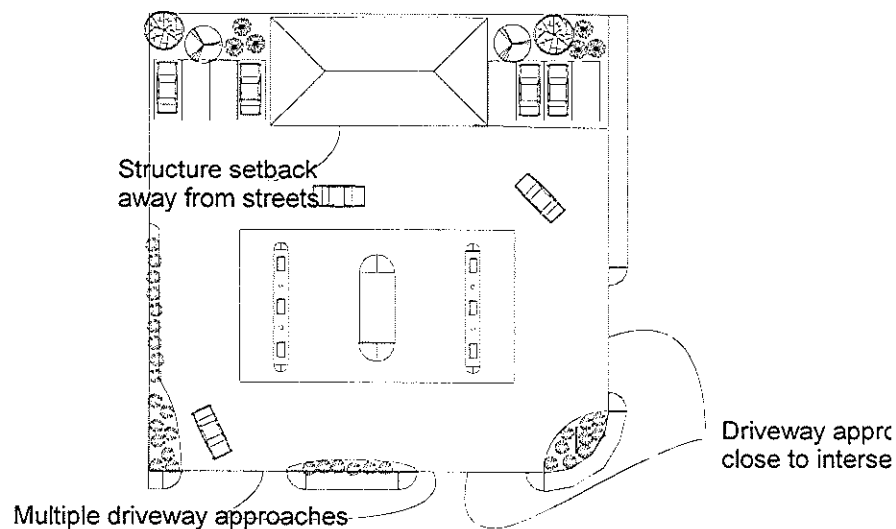
#### *Site Design*

- The site design for projects located at street corners should provide some structural or strong design element to anchor the corner. This can be accomplished using a built element or with strong landscaping features.
- In areas developed with a strong street presence, service stations should be oriented adjacent to the sidewalk, placing any service bay door and car wash openings on the rear of the structure facing away from public streets. Bay door and car wash openings should also be oriented away from any adjacent noise



Place driveways as far from intersections as possible

### **RECOMMENDED**



### **NOT RECOMMENDED**

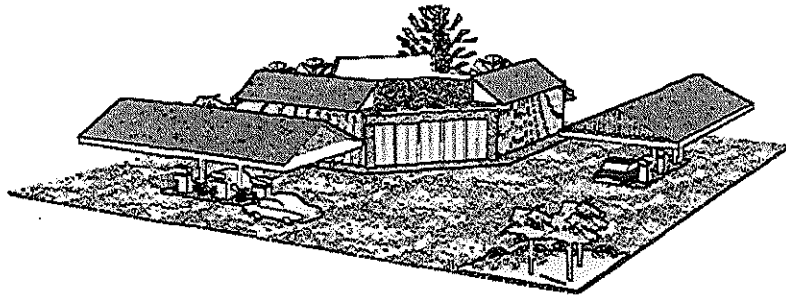


sensitive uses.

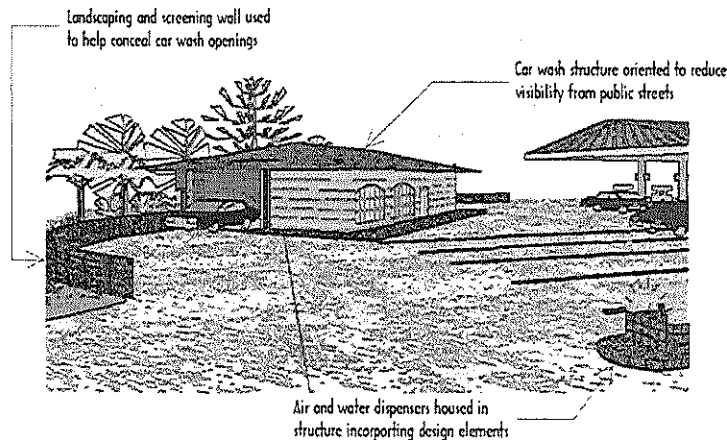
III

### Site Design (Continued)

- Where possible, construct smaller, separate service islands/canopies, rather than a single large one.
- Service bay doors and car wash openings should be oriented so as to reduce visibility from public streets. The site design should also address potential visual and noise impacts to adjacent land uses.



### Architectural Design



- ◆ Site specific architectural design is strongly encouraged. Rather than adapting a standard design to the site, the City strongly encourages floor plans and elevations that are unique to the community and are not a corporate or franchise design that is indistinguishable from those found elsewhere in the region.
- ◆ Building architecture should be designed to provide an attractive appearance that is compatible with and complimentary to the surrounding area. All architectural details should be related to an overall architectural theme.

- All buildings and structures on the site should have consistent materials and architectural and design elements to provide a cohesive project site. Conflicting materials and architectural and design elements within the site or on a building are strongly discouraged.
- Service stations should incorporate facade material to produce texture and to provide interest. Such materials include, but are not limited to, split face block, brick, slumpstone, granite, marble, clapboard, textured block or stucco. Reflective, glossy, and fluorescent surfaces are discouraged.
- Structures, including service island canopies, should incorporate full roof treatments with a low to moderate pitch and/or a varied parapet height. Variations in roof lines and heights should be provided where feasible. Flat roofs should be avoided unless it is a characteristic of a specific architectural style.
- Clay tile, concrete tile, wood shake, wood shingles, slate or a similar grade of roofing material should be used on all visible pitched roofs. Metal roofs should be avoided unless it is a characteristic of a specific architectural style.
- All service bays should be provided with roll-up (or similar) doors with all operating mechanisms located in the interior of the structure.

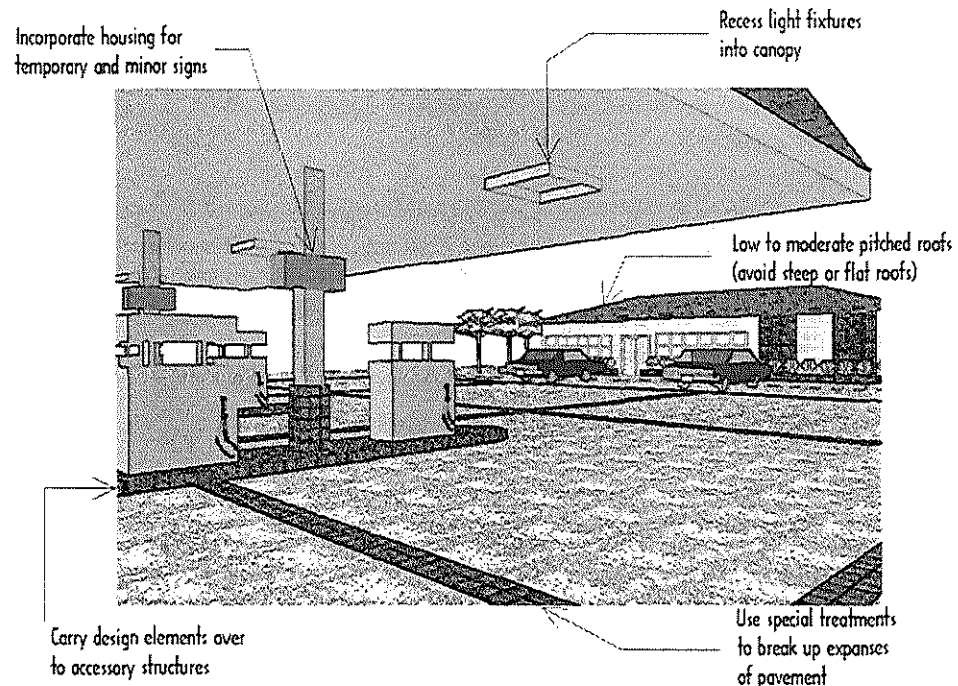
#### *Site and Architectural Design Details*

- All accessory buildings and structures should incorporate materials and architectural and design elements consistent with the principal building.
- Exterior storage and trash should be sited to be least visible from public view. Screening should consist of masonry walls with solid wood or metal doors. Exterior storage and trash should provide a screening trellis cover when visible from above (including upper floors) from adjacent properties.

- Tall (10 feet or higher) tank vents should be completely screened or incorporated into the building architecture.
- Any roof top mechanical equipment should be screened from view.

*Site and Architectural Design Details  
(Continued)*

- Any structures used for housing air and water dispensers and similar fixed equipment should incorporate the architectural detail and design elements of the principal structure.
- Long expanses of wall surfaces should be architecturally treated to prevent monotony.
- Extensive expanses of pavement should be avoided. The amount of unrelieved pavement area on the site should be limited through the use of landscaping, contrasting colors and banding or pathways of alternate paver material.
- Canopies should not be internally illuminated. Light fixtures should be recessed into the canopy and no glare should be visible from the fixture.



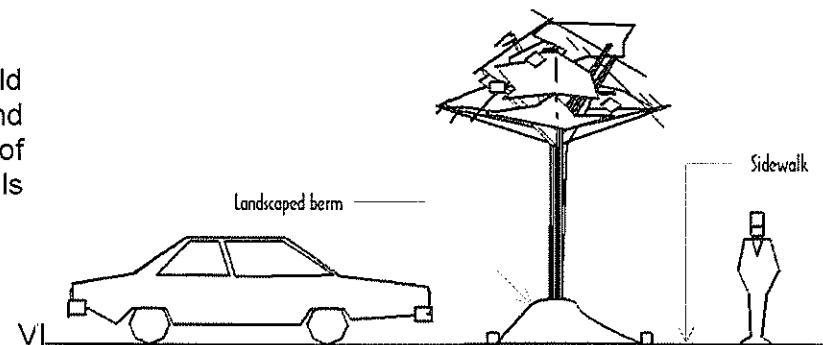
- ☐ Exterior lighting should be designed to avoid glare and direct light away from adjacent properties.
- ☐ Exterior lighting sources should be concealed so that it is not visible from adjacent properties.

### *Access and Circulation*

- ☐ The on-site circulation pattern should include adequate driving space to maneuver vehicles around cars parked at the pumps.
- ☐ Fuel storage areas should be sited to insure that delivery trucks do not obstruct the public right-of-way during delivery.
- ☐ Driveway approaches should be limited to one per street for corner locations, or two per street for mid-block locations.
- ☐ Driveway approaches should be placed as far from intersections as possible.
- ☐ Driveway approaches on the same street should be placed a minimum of 25 feet apart.

### *Landscaping*

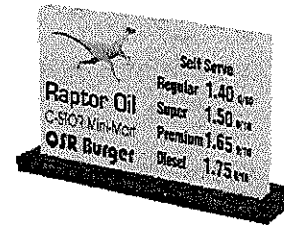
- ☐ All plant materials should be of sufficient size so that the landscaping has an attractive appearance at the time of installation and a mature appearance within three years of planting.
- ☐ Landscaping should be used to enhance architectural and design elements, break up large paving areas, buffer adjacent land uses and to screen undesirable features from public view.
- ☐ Where possible, landscape areas should provide a three tier system of grasses and groundcovers, shrubs, and trees. The use of landscaped berms and/or low screening walls adjacent to sidewalks is encouraged.





## Signs

- ☐ All freestanding signs should incorporate materials and architectural and design elements consistent with the overall design of the project.
- ☐ Monument signs are the preferred type of freestanding sign.
- ☐ Backlit individually cut letter and internally illuminated channel letter wall signs are preferable to can wall signs.
- ☐ Multiple uses on the same site are encouraged to share space on freestanding signs, rather than provide individual signs.
- ☐ Fuel price signs should be incorporated into project's principal identification sign.
- ☐ The size and number of temporary and minor signs should be limited.
- ☐ Temporary and minor signs should be incorporated into the design of the



RECOMMENDED



NOT RECOMMENDED

principal building and the service islands.

X

### *Crime Prevention*

- The site plan and floor plan should incorporate crime preventive design features. Such features may include, but are not limited to, openness to surveillance and control of the premises, the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

## **Attachment No. PC 5**

Trip generation Calculations

## 1550 Jamboree Road - Chevron Station

## Trip Generation Rates

Land Use	Rate Type	Size	Unit	AM Peak Hour			PM Peak Hour			Daily
				In	Out	Total	In	Out	Total	Total
Gasoline/Service Station with Convenience Market	ITE 945		Fueling Position			10.16			13.38	162.78
Gasoline/Service Station with Convenience Market and Car Wash	ITE 946		Fueling Position			11.93			13.94	152.84

## Existing Use

Land Use	Rate Type	Size	Unit	AM Peak Hour			PM Peak Hour			Daily
				In	Out	Total	In	Out	Total	Total
Gasoline/Service Station with Convenience Market	ITE 945	16	Fueling Position			163			214	2604

## Proposed Use

Land Use	Rate Type	Size	Unit	AM Peak Hour			PM Peak Hour			Daily
				In	Out	Total	In	Out	Total	Total
Gasoline/Service Station with Convenience Market and Car Wash	ITE	16	Fueling Position			191			223	2445
Change						28			9	-159

## **Attachment No. PC 6**

Noise Study



**NOISE ANALYSIS  
FOR THE PROPOSED  
JAMBOREE CHEVRON CAR WASH  
CITY OF NEWPORT BEACH**

Project #512901-0200  
November 18, 2010

Prepared For:

**The City of Newport Beach**  
3300 Newport Boulevard  
Newport Beach, CA 92663

Prepared By:

Fred Greve, P.E.  
Mike Holritz, INCE  
**Mestre Greve Associates**  
**Division of Landrum & Brown**  
27812 El Lazo Road  
Laguna Niguel, CA 92677  
Phone (949) 349-0671

**NOISE ANALYSIS  
FOR THE PROPOSED  
JAMBOREE CHEVRON CAR WASH  
CITY OF NEWPORT BEACH**

## **1.0 INTRODUCTION**

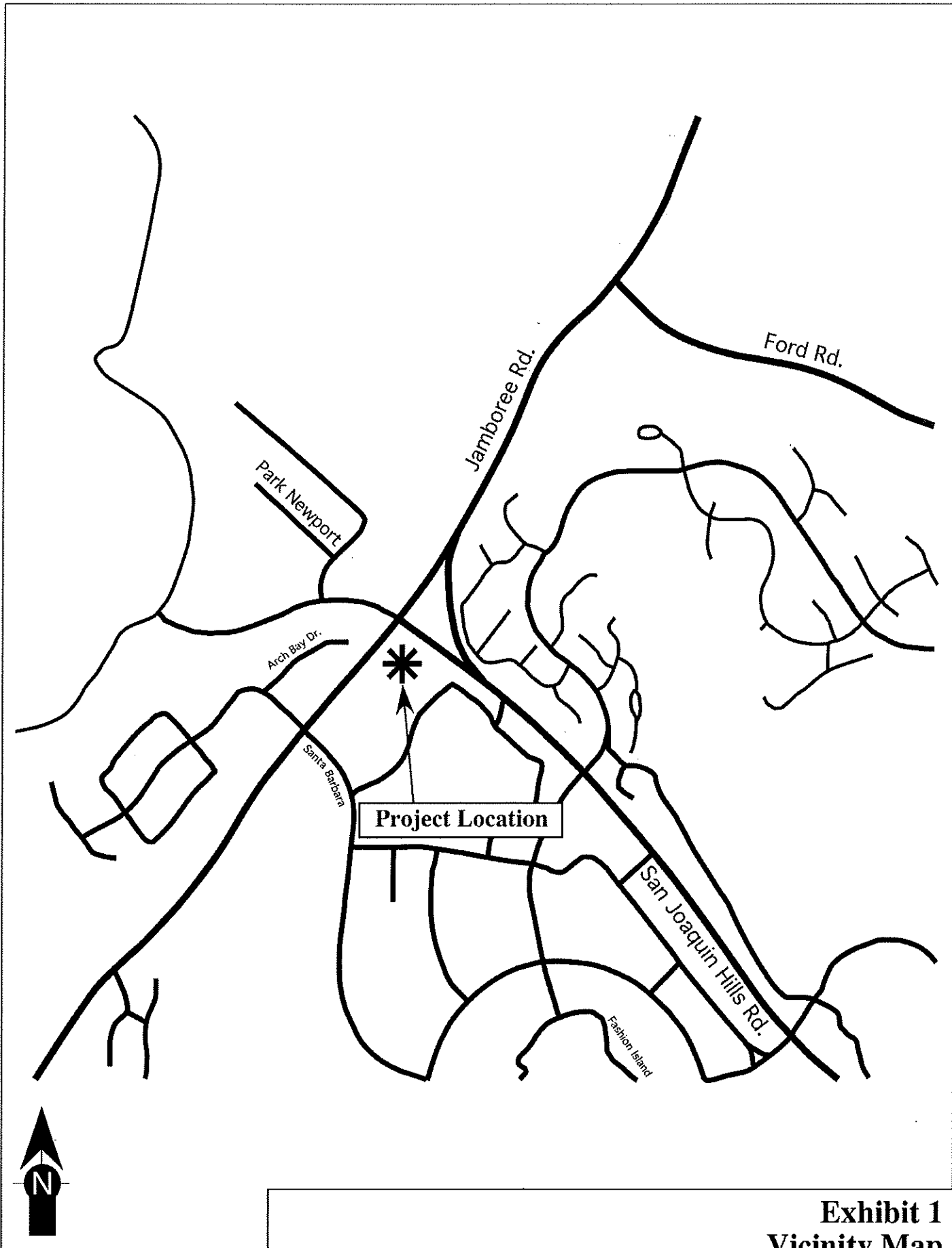
A car wash is being proposed for the existing Chevron gas station at the corner of Jamboree Road and San Joaquin Hills Road. The car wash will be “self-serve” and will be open 24 hours per day. The purpose of this report is to determine whether the noise levels from the proposed car wash will be consistent with the Noise Ordinance adopted by the City of Newport Beach. The project calls for the addition of a tunnel-type car wash. The facility will be the style where the car remains stationary during the wash and dry operations and a carriage containing the washing and drying equipment moves back and forth over the car.

The car wash is proposed to be located in the City of Newport Beach, as shown in Exhibit 1. The site plan is shown in Exhibit 2. Residences are located to the west (Harbor Cove), north (Park Newport), and northeast (Big Canyon) of the site. Commercial properties are located to the southwest (the Newport Beach Jaguar dealership) and southeast (the San Joaquin Plaza general offices) of the site. The potential noise impacts on these residential and commercial areas are addressed in this report, and required mitigation measures, if any, are identified.

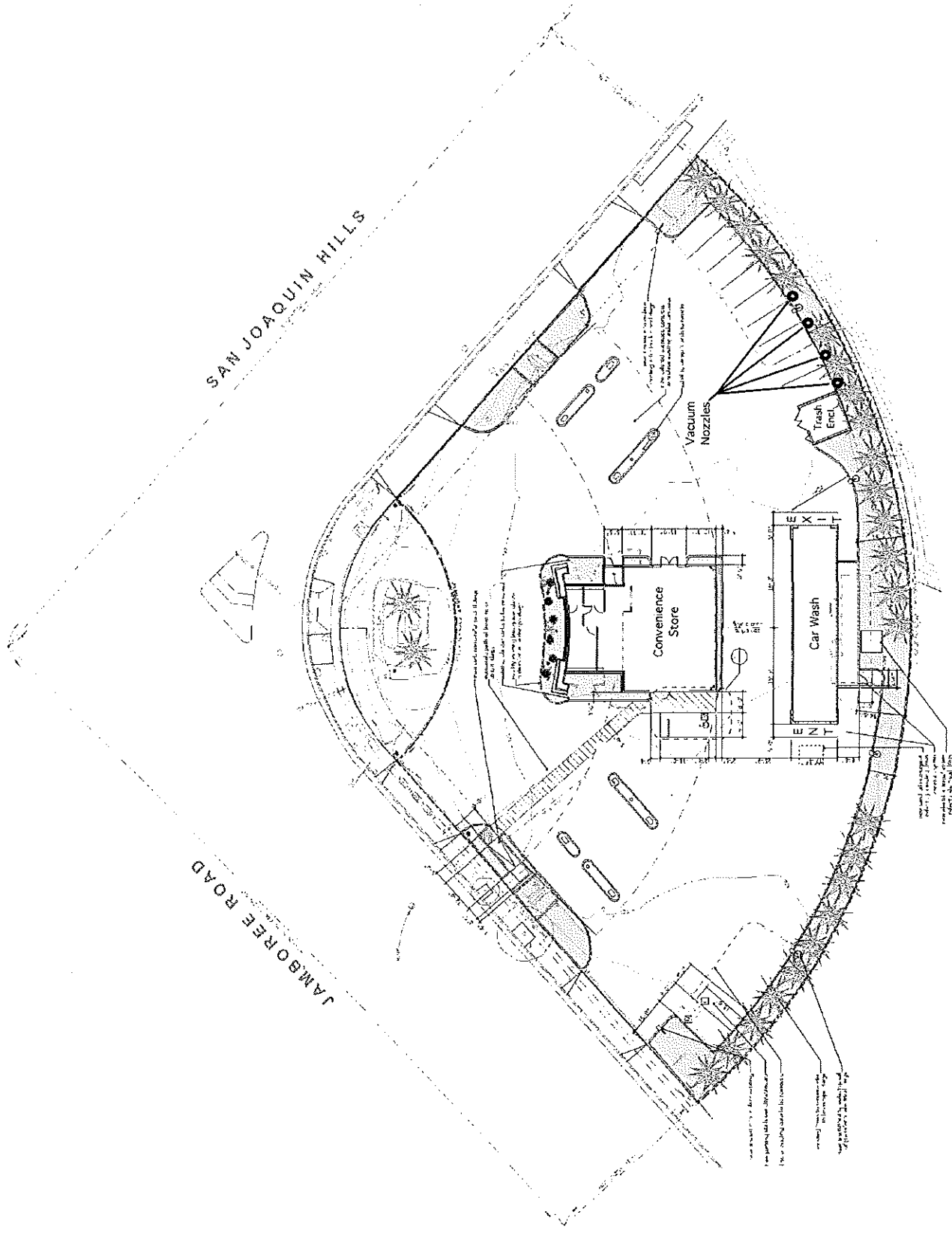
## **2.0 BACKGROUND INFORMATION ON NOISE**

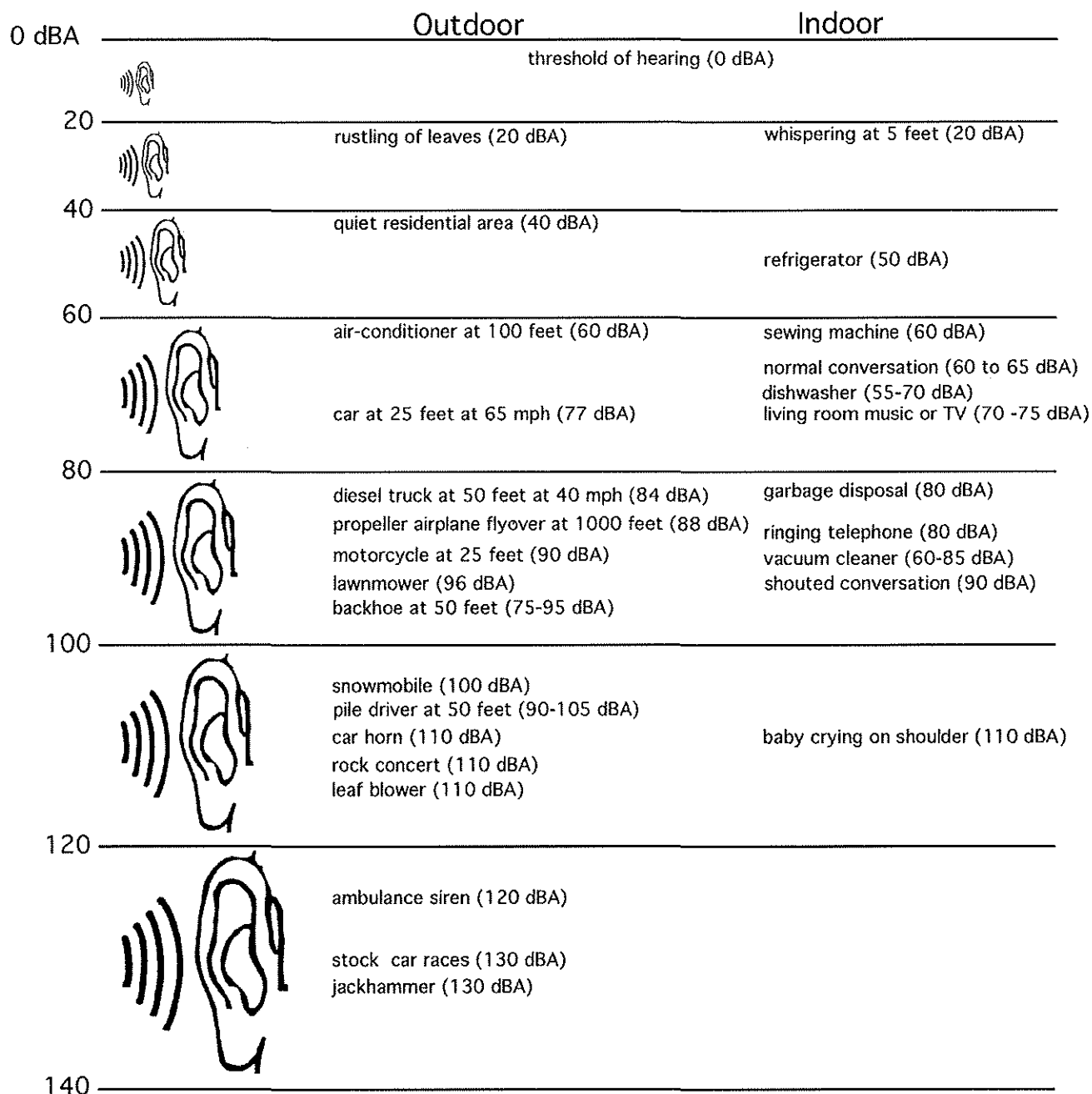
Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; and 20 dB higher four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud).

Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Community noise levels are measured in terms of the “A-weighted decibel” abbreviated dBA. Exhibit 3 provides examples of various noises and their typical A-weighted noise level.



# Exhibit 2 - Site Plan





Sources: League for the Hard Of Hearing, [www.lhh.org](http://www.lhh.org)  
 Handbook of Noise Control, McGraw Hill, Edited by Cyril Harris, 1979  
 Measurements by Mestres Greve Associates

Two commonly used metrics to describe fluctuating noise levels are Leq and Lmax. These metrics are described below. The noise level limits set forth in the City's Noise Ordinance are specified in terms of these metrics.

**Leq** is the sound level corresponding to a steady-state sound level that would contain the same total energy as the time-varying signal over a given sample period. Leq is the "energy" average noise level during the time period of the sample. It is the energy sum of all the events and background noise levels that occur during that time period.

**Lmax** is the loudest sound level measured during the time period of the sample.

Sound levels decrease as a function of distance from the source as a result of wave divergence, atmospheric absorption and ground attenuation. As the sound wave travels away from the source, the sound energy is dispersed over a greater area, thereby dispersing the sound power of the wave. Intervening topography or sound walls can also have a substantial effect on the effective perceived noise levels.

Noise has been defined as unwanted sound and it is known to have several adverse effects on people. From these known effects of noise, criteria have been established to help protect the public health and safety and prevent disruption of certain human activities. This criteria is based on such known impacts of noise on people as hearing loss, speech interference, sleep interference, physiological responses and annoyance. Each of these potential noise impacts on people are briefly discussed in the following narratives:

**HEARING LOSS** is not a concern in community noise situations of this type. The potential for noise induced hearing loss is more commonly associated with occupational noise exposures in heavy industry or very noisy work environments. Noise levels in neighborhoods, even in very noisy airport environs, are not sufficiently loud to cause hearing loss.

**SPEECH INTERFERENCE** is one of the primary concerns in environmental noise problems. Normal conversational speech is in the range of 60 to 65 dBA, and any noise in this range or louder may interfere with speech. There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level.

**SLEEP INTERFERENCE** is a major noise concern for traffic noise. Sleep disturbance studies have identified interior noise levels that have the potential to cause sleep disturbance. Note that sleep disturbance does not necessarily mean awakening from sleep, but can refer to altering the pattern and stages of sleep.



**PHYSIOLOGICAL RESPONSES** are those measurable effects of noise on people that are realized as changes in pulse rate, blood pressure, etc. While such effects can be induced and observed, the extent to which these physiological responses cause harm or are signs of harm.

**ANNOYANCE** is the most difficult of all noise responses to describe. Annoyance is a very individual characteristic and can vary widely from person to person. What one person considers tolerable can be quite unbearable to another of equal hearing capability.

### **3.0 NEWPORT BEACH NOISE ORDINANCE CRITERIA**

Noise ordinances are designed to protect adjacent noise-sensitive land uses from non-transportation related noise sources operating on private property (e.g., manufacturing facilities, music, and mechanical equipment). Many communities have developed noise ordinances to control these types of non-transportation related noise.

The criteria contained in the City's Noise Ordinance (Municipal Code Chapter 10.26) are consistent with the recommendations set forth by the State Department of Health Services, and also consistent with noise ordinances currently adopted by many communities. These criteria are given in terms of allowable noise levels for a given period of time at the affected property. Higher noise levels are permitted during the day (7 a.m. to 10 p.m.) than at night (10 p.m. to 7 a.m.). The noise levels contained in Table 1 show the acceptable levels at outdoor land uses during each time period. The residential standards would apply to Harbor Cove, Park Newport, and Big Canyon. The commercial standards would apply to the Newport Beach Jaguar dealership and to the San Joaquin Plaza offices. The Leq standards are the average noise level during a fifteen minute period. The Lmax criteria applies to the highest noise level reached during the fifteen minute period.

**Table 1**  
**CITY OF NEWPORT BEACH**  
**EXTERIOR NOISE ORDINANCE CRITERIA**

LAND USE	NOISE METRIC	NOISE LEVEL NOT TO BE EXCEEDED	
		Daytime 7 a.m. to 10 p.m.	Nighttime 10 p.m. to 7 a.m.
Residential	Leq (15-minute)	55 dBA	50 dBA
Residential	Lmax	75 dBA	70 dBA
Commercial	Leq (15-minute)	65 dBA	60 dBA
Commercial	Lmax	85 dBA	80 dBA

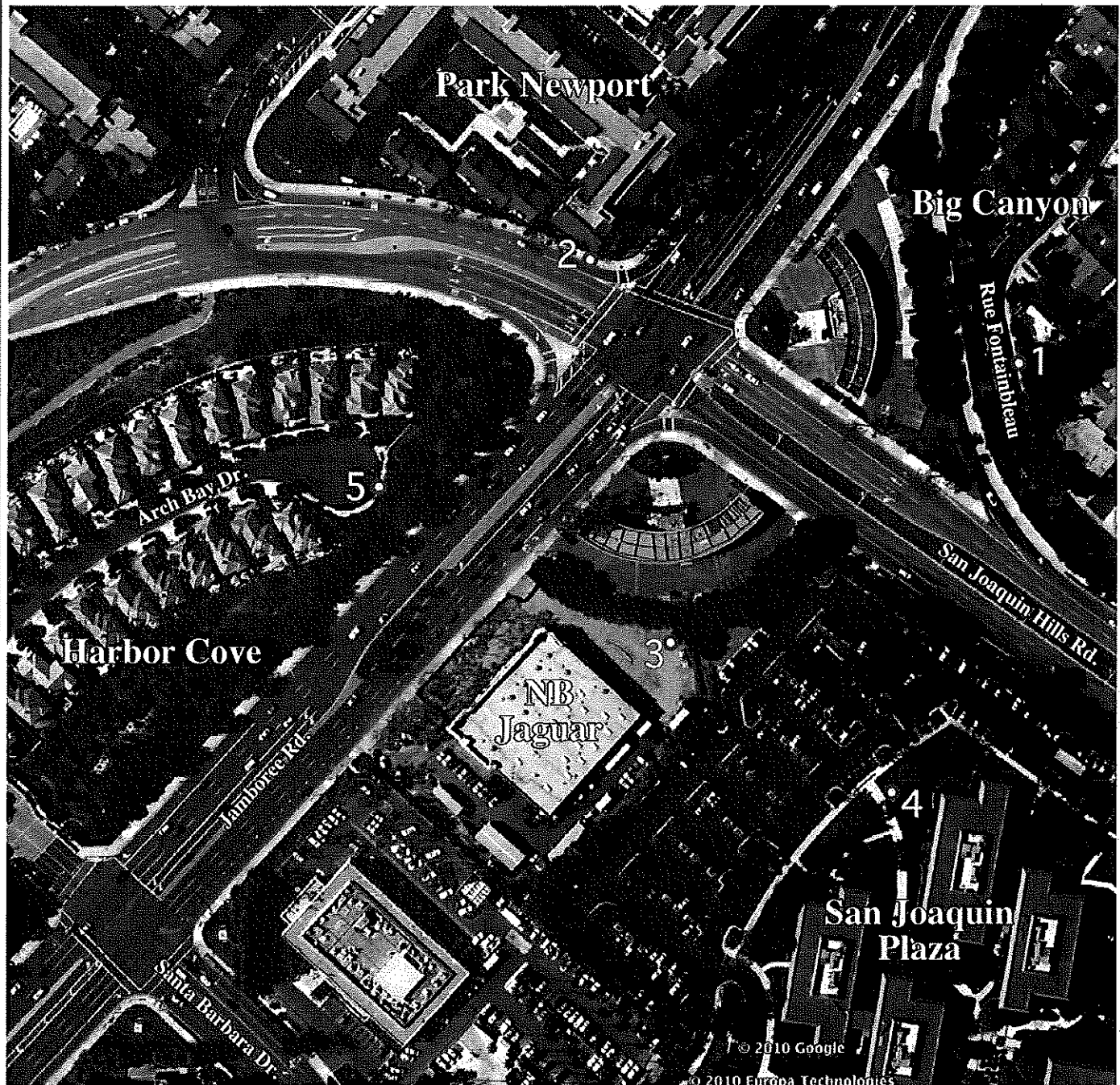
It is our understanding that the car wash will operate 24 hours a day. Therefore, projected noise levels are compared to both the daytime and the nighttime criteria. Previous measurements have shown that for this type of noise source, the Leq levels, and not the Lmax levels, are the critical metric. In the remaining text, compliance with the daytime and nighttime Leq criteria in the Noise Ordinance is the primary focus.

The indoor noise standards are 10 dB more stringent than the outdoor noise standards. Since residential buildings can be expected to provide at least 20 dB outdoor-to-indoor noise reduction, compliance with the exterior noise standards will also result in compliance with the indoor noise standards.

#### **4.0 AMBIENT NOISE LEVELS**

The noise standards can be adjusted for loud ambient conditions. The ordinance states that if the ambient conditions are louder than the ordinance limits, then the ambient conditions become the critical limits. In other words, when the ambient noise is louder than the Noise Ordinance limits, then the noise generated by the source cannot exceed the ambient conditions.

The ambient noise levels at several properties near the proposed project site were measured for 15 minutes during the daytime hours and for 15 minutes during the nighttime period. The measurements were performed on April 30, May 4, and May 10, 2010. The measurement sites are shown in Exhibit 4. During the measurements, local traffic, aircraft overflights, vehicle passes, and birds were the prime noise sources.



○ - Ambient Measurement Location



The sound level meter used for the measurements was a Brüel and Kjær Model 2236 sound level meter. This meter conforms to American National Standards Institute (ANSI) Type 1 specifications. The meter is laboratory calibrated and certified annually with calibration traceable to the National Institute of Standards and Technology (NIST). The meter was field calibrated before and after the measurement period using a Brüel and Kjær Model 4231 acoustical calibrator. The acoustical calibrator is also certified annually with calibration traceable to the NIST. Per the requirements of the City's Noise Ordinance, the sound level meter was set to record A-weighted sound levels with slow response.

The results of the ambient noise measurements are presented below in Table 2.

**Table 2**  
**AMBIENT NOISE MEASUREMENT RESULTS**

Site	Period	Lmin	LEQ	Lmax
1	1:49 to 2:04 p.m.	52.5	<b>60.7</b>	71.7
	10:00 to 10:15 p.m.	39.1	<b>45.9</b>	58.6
2	2:10 to 2:25 p.m.	53.0	<b>67.7</b>	77.0
	10:21 to 10:36 p.m.	45.4	<b>65.4</b>	82.6
3	2:32 to 2:47 p.m.	48.3	<b>59.7</b>	72.1
	10:39 to 10:54 p.m.	39.3	<b>49.2</b>	61.3
4	2:53 to 3:08 p.m.	50.6	<b>57.5</b>	69.7
	11:00 to 11:15 p.m.	39.0	<b>44.3</b>	64.3
5	1:45 to 2:00 p.m.	44.8	<b>60.8</b>	74.8
	10:00 to 10:15 p.m.	40.7	<b>53.1</b>	68.3

The results of the noise measurements indicate that at some locations, the ambient Leq noise level is above the Noise Ordinance limit, and therefore, adjustment to the criteria is warranted. The applicable noise level limit for each adjacent area (for daytime and nighttime periods) is shown below in Table 3.

**Table 3**  
**APPLICABLE NOISE LEVEL LIMITS (dBA LEQ)**

Site	Location	Land Use	Period	Noise Limit (Leq)	Limitation
1	Big Canyon	Residential	Daytime Nighttime	60.7 50.0	Measured Ambient Noise Ordinance
2	Park Newport	Residential	Daytime Nighttime	67.7 65.4	Measured Ambient Measured Ambient
3	NB Jaguar Parking Lot	Commercial	Daytime Nighttime	65.0 60.0	Noise Ordinance Noise Ordinance
3	NB Jaguar Building	Commercial	Daytime Nighttime	65.0 60.0	Noise Ordinance Noise Ordinance
4	San Joaquin Plaza	Commercial	Daytime Nighttime	65.0 60.0	Noise Ordinance Noise Ordinance
5	Harbor Cove	Residential	Daytime Nighttime	60.8 53.1	Measured Ambient Measured Ambient

## 5.0 METHODOLOGY

Source noise levels for the equipment proposed for this facility were not available from the manufacturer or other sources. The exact equipment is not installed at any facility in the Southern California area, and so noise measurements of facility using the exact same equipment could not be made. Therefore, equipment source noise levels from a similar facility were measured and used for this analysis. Noise levels for the proposed car wash were based on measurements at two car washes with similar equipment to that planned for this facility. The data indicate that the dryers (by far the most important noise source for observers near the exit end of the car wash tunnel) produce a noise level of about 70.1 dBA at a distance of 50 feet. Noise levels at the entrance end are typically about 10 dB lower than at the exit end.

Noise levels for the coin-operated vacuum station located near the exit end of the car wash tunnel were obtained from previous measurements of similar equipment. (The central vacuum generator unit will be located inside the car wash equipment room, and

will not be a significant noise source). Typical vacuum stations of this type produce noise levels of approximately 75.9 dBA at a distance of 12 feet. There are four vacuum stations. We have assumed that during the daytime hours, two vacuum stations may run simultaneously during an entire fifteen-minute period. The noise levels for these conditions would be about 78.9 dBA LEQ at a distance of 12 feet.

The noise levels projected in this report were calculated from the projected source noise levels using a drop-off rate of 6 dB per doubling of distance. At the residential area to the northwest (Harbor Cove), an existing masonry block wall approximately 8 feet high is located between the proposed car wash site and the residences. The effect of this barrier is included in the projected noise levels for this area. Some observers are substantially off-axis from the tunnel exit opening. Field measurements have shown that observers that are off-axis 90 degrees or more experience noise levels up to about 12 dB lower. Differences in site configuration and other variables may affect the amount of noise reduction. A factor of -5 dB was applied to the exit end noise levels for observers that are off-axis 90 degrees or more, which is a conservative estimate.

For areas where noise levels exceed the Noise Ordinance limits, mitigation through the construction of a noise barrier is a common way of alleviating the noise impacts. A noise barrier effect occurs when the "line of sight" between the noise source and the observer is interrupted by the barrier. As the distance that the noise must travel around the noise barrier increases, the amount of noise reduction increases. A computer model was used here to determine the required barrier heights.

## **6.0 PROJECTED CAR WASH NOISE LEVELS**

### **6.1 Daytime Levels**

Based upon this data and the site plan, the daytime noise levels were calculated for observers at the adjacent properties. The distance to each observer, self-shielding by the car wash tunnel, and any existing barriers were included in the calculations. The resulting noise levels are shown below in Table 4.



**Table 4**  
**PROJECTED DAYTIME NOISE LEVELS (dBA)**

Site	Location	Land Use	Adjusted Limit (Leq)	Projected Noise Level (Leq)	Comparison With Noise Level Limit
1	Big Canyon	Residential	60.7	53.3	Meets Ordinance
2	Park Newport	Residential	67.7	50.6	Meets Ordinance
3	NB Jaguar Parking Lot	Commercial	65.0	65.6	<b>Exceeds Ordinance</b>
3A	NB Jaguar Building	Commercial	65.0	59.1	Meets Ordinance
4	San Joaquin Plaza	Commercial	65.0	54.8	Meets Ordinance
5	Harbor Cove	Residential	60.8	42.6	Meets Ordinance

The results of the analysis indicate that the unmitigated Leq noise level at the Newport Beach Jaguar dealership parking lot is projected to be about 65.6 dBA. This exceeds the daytime Noise Ordinance limit by 0.6 dBA. This is the only site that exceeds the daytime limit.

## 6.2 Nighttime Levels

The noise levels during the nighttime period would be expected to be substantially lower due to limited use during these hours. We have estimated that the car wash would be expected to operate 50% of the time or less during any 15 minute period. Noise levels for the car wash tunnel were reduced by 3 dB to account for this reduced operation time. We have also assumed that during the nighttime hours, one vacuum may run for 10 minutes during any given fifteen-minute period. The vacuum station noise levels for these conditions would be about 74.1 dBA LEQ at a distance of 12 feet.

Based upon this data, the nighttime noise levels were calculated for observers at the adjacent properties. The resulting noise levels are shown below in Table 5.

**Table 5**  
**PROJECTED NIGHTTIME NOISE LEVELS (dBA)**

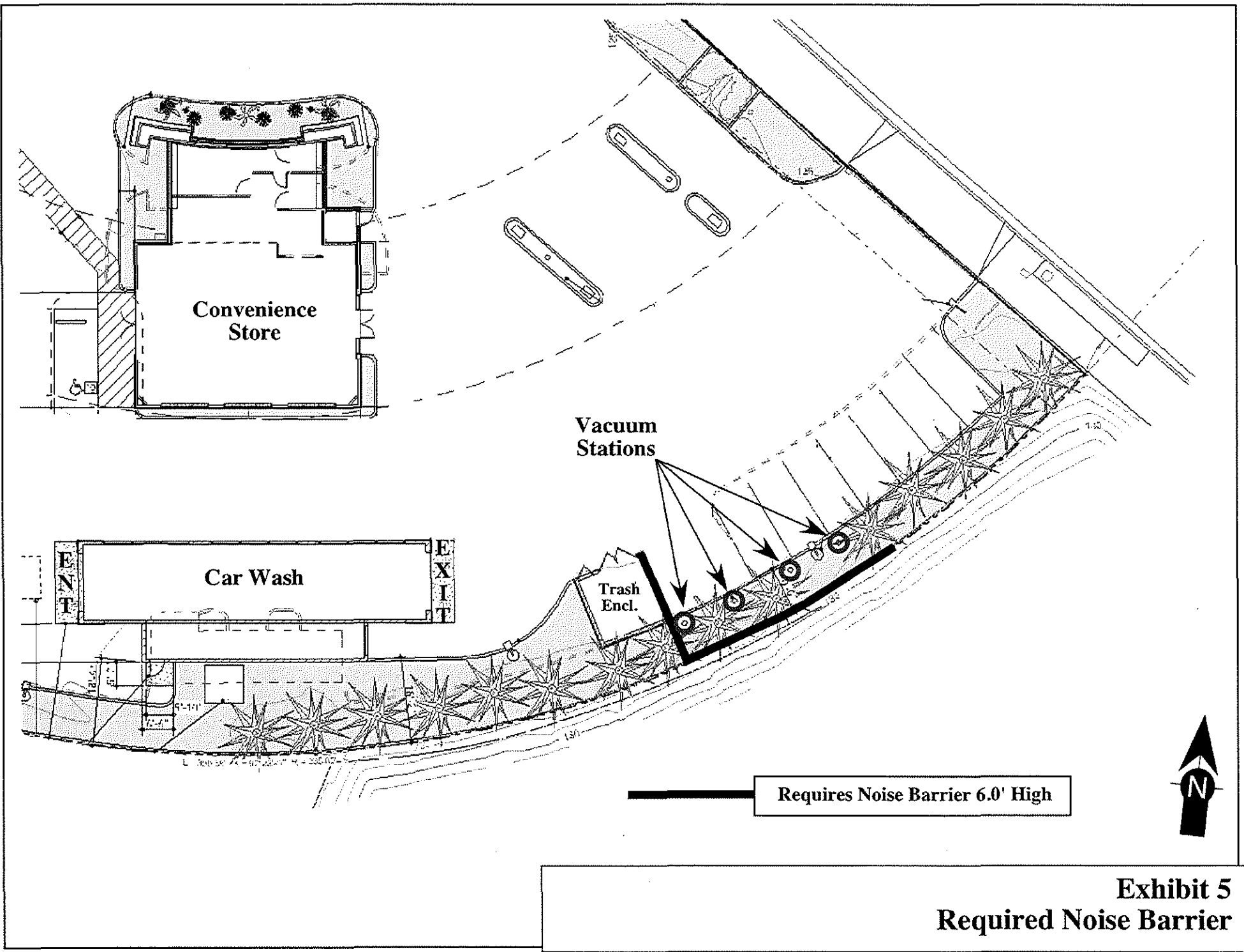
Site	Location	Land Use	Adjusted Limit (Leq)	Projected Noise Level (Leq)	Comparison With Noise Level Limit
1	Big Canyon	Residential	50.0	49.6	Meets Ordinance
2	Park Newport	Residential	65.4	46.8	Meets Ordinance
3	NB Jaguar Parking Lot	Commercial	60.0	62.4	<b>Exceeds Ordinance</b>
3A	NB Jaguar Building	Commercial	60.0	55.7	Meets Ordinance
4	San Joaquin Plaza	Commercial	60.0	51.3	Meets Ordinance
5	Harbor Cove	Residential	53.1	39.2	Meets Ordinance

The results of the analysis indicate that at Newport Beach Jaguar dealership parking lot, the unmitigated Leq noise levels exceed the nighttime Noise Ordinance limits. The noise levels exceed the Noise Ordinance limits by between 0.6 dBA (during the daytime hours) and 2.4 dBA (during the nighttime hours). Therefore, some form of mitigation is needed.

## 7.0 MITIGATION MEASURES

In order to meet the City's Noise Ordinance limits, the following mitigation measures are required.

- 1) A noise barrier 6.0 feet high shall be installed surrounding the vacuum station. The location of this barrier is shown in Exhibit 5. The noise barrier must have a surface density of at least 3.5 pounds per square foot, and shall have no openings or gaps. The wall may be constructed of stud and stucco, 3/8-inch plate glass, 5/8-inch Plexiglas, any masonry material, or a combination of these materials.



**Exhibit 5**  
**Required Noise Barrier**

Noise data is not available for the equipment that will be used for the proposed car wash. We have used measured noise data for what we believe to be similar equipment. However, since specific noise data could not be obtained for the proposed equipment, we are recommending that post-construction testing be performed.

- 2) Noise levels of the car wash and vacuum system shall be made by a qualified acoustical engineer that show compliance with the City's Noise Ordinance prior to the issuance of a permit to operate. A report prepared by the acoustical engineer shall be submitted to the City.

With the mitigation measures in place, the noise levels at all adjacent areas will be significantly reduced. Table 6 and Table 7 show the projected nighttime noise levels at each site after the required mitigations.

**Table 6**  
**PROJECTED DAYTIME NOISE LEVELS (dBA)**  
**WITH REQUIRED MITIGATION MEASURES**

Site	Location	Land Use	Projected		Comparison With Noise Level Limit
			Adjusted Limit (Leq)	Noise Level (Leq)	
1	Big Canyon	Residential	60.7	53.3	Meets Ordinance
2	Park Newport	Residential	67.7	50.6	Meets Ordinance
3	NB Jaguar Parking Lot	Commercial	65.0	64.8	Meets Ordinance
3A	NB Jaguar Building	Commercial	65.0	59.1	Meets Ordinance
4	San Joaquin Plaza	Commercial	65.0	54.8	Meets Ordinance
5	Harbor Cove	Residential	60.8	42.6	Meets Ordinance

The data in Table 6 shows that the noise levels at all adjacent areas meet the daytime noise limits.

**Table 7**  
**PROJECTED NIGHTTIME NOISE LEVELS (dBA)**  
**WITH REQUIRED MITIGATION MEASURES**

Site	Location	Land Use	Adjusted Limit (Leq)	Projected Noise Level (Leq)	Comparison With Noise Level Limit
1	Big Canyon	Residential	50.0	49.6	Meets Ordinance
2	Park Newport	Residential	65.4	46.8	Meets Ordinance
3	NB Jaguar Parking Lot	Commercial	60.0	62.2	<b>Exceeds Ordinance</b>
3A	NB Jaguar Building	Commercial	60.0	55.7	Meets Ordinance
4	San Joaquin Plaza	Commercial	60.0	51.3	Meets Ordinance
5	Harbor Cove	Residential	53.1	39.2	Meets Ordinance

\* - The dealership is not expected to be open during the nighttime period

The data in Table 7 table shows that for each site except the Newport Beach Jaguar dealership parking lot, the resulting noise levels will be less than the applicable noise criteria. It should be noted that the dealership would not be expected to be operating after 10 p.m. Therefore, it is anticipated that with the recommended noise mitigation measures, the project will comply with the intent of the Noise Ordinance.

MacPt-Day (no mit)  
Totals

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

							MEAS'D AMB LEQ DAY
	EXIT END	ENTRANCE END	VACUUM NOZZLES		Standard Applied	ORD STD DAY	
SITE				TOTAL			
Big Canyon	51.2	36.6	48.8	53.3	60.7	55	60.7
Park Newport	46.5	41.7	47.4	50.6	67.7	55	67.7
NB Jaguar - Open Area	63.5	56.8	59.5	65.6	65.0	65	59.7
NB Jaguar - Bldg	54.6	54.8	53.5	59.1	65.0	65	59.7
San Joaquin Plaza	52.8	38.3	50.2	54.8	65.0	65	57.5
Harbor Cove	39.6	36.3	36.6	42.6	60.8	50	60.8
MITIGATIONS							
	0.0' Barr			Vacuum Station Barrier			
	No Mitigation						

MacPt-Day (no mit)  
Exit End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

EXIT END 70.1 dBA LEQ (ave of two measurements)			
Sound Pressure Level of	70.1	dBA at	50.0 feet

Critical Freq. (Hz)	1000
---------------------	------

Noise Level at 50'	70.1
--------------------	------

Dist.	dBA
10	84.1
15	80.6
20	78.1
25	76.1
30	74.5
35	73.2
40	72.0
50	70.1
60	68.5
75	66.6
100	64.1

dBA	Dist.
48	637
49	568
50	506
51	451
52	402
53	358
54	319
55	284
60	160
65	90

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	441	15.0	5	0.0	0.0	0.0	0.0	51.2
Park Newport	0.0	10	10.0	7	0	428	0.0	5	0.0	0.0	5.0	0.0	46.5
NB Jaguar - Open Area	0.0	10	10.0	7	0	60	0.0	5	0.0	0.0	5.0	0.0	63.5
NB Jaguar - Bldg	0.0	10	10.0	7	0	168	0.0	5	0.0	0.0	5.0	0.0	54.6
San Joaquin Plaza	0.0	10	10.0	7	0	368	20.0	5	0.0	0.0	0.0	0.0	52.8
Harbor Cove	0.0	10	10.0	390	0	418	0.0	5	8.0	7.0	5.0	0.0	39.6



MacPt-Day (no mit)  
Entrance End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE INT SOURCE  
Last Update: 10-2-09 Date: 10-2-09

ENTRANCE END	70.1 - 10
Sound Pressure Level of	60.1 dBA at 50.0 feet
-3 dB for 1/2 ops at night	
Critical Freq. (Hz)	1000

Noise Level at 50'	60.1
--------------------	------

Dist.	dBA
10	74.1
15	70.6
20	68.1
25	66.1
30	64.5
35	63.2
40	62.0
50	60.1
60	58.5
75	56.6
100	54.1

dBA	Dist.
48	201
49	179
50	160
51	143
52	127
53	113
54	101
55	90
60	51
65	28

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	530	15.0	5	0.0	0.0	3.0	36.6
Park Newport	0.0	10	10.0	7	0	415	0.0	5	0.0	0.0	0.0	41.7
NB Jaguar - Open Area	0.0	10	10.0	7	0	52	0.0	5	0.0	0.0	3.0	56.8
NB Jaguar - Bldg	0.0	10	10.0	7	0	92	0.0	5	0.0	0.0	0.0	54.8
San Joaquin Plaza	0.0	10	10.0	7	0	436	20.0	5	0.0	0.0	3.0	38.3
Harbor Cove	0.0	10	10.0	319	0	346	0.0	5	8.0	7.0	0.0	36.3

MacPt-Day (no mit)  
Vacuum Nozzles

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

VACUUM NOZZLES	75.9	each
Sound Pressure Level of	78.9	dBA at 12.0 feet

Critical Freq. (Hz)	1000
---------------------	------

Noise Level at 50'	66.5
--------------------	------

Dist.	dBA
10	80.5
12	78.9
20	74.5
25	72.5
30	70.9
35	69.6
40	68.4
50	66.5
60	64.9
75	63.0
100	60.5

dBA	Dist.
48	421
49	375
50	334
51	298
52	266
53	237
54	211
55	188
60	106
65	59

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit wall	Noise Level (dBA)
Big Canyon	0.0	3	3.0	7	0	385	15.0	5	0.0	0.0	0.0	0.0	48.8
Park Newport	0.0	3	3.0	7	0	449	0.0	5	0.0	0.0	0.0	0.0	47.4
NB Jaguar - Open Area	0.0	3	3.0	7	0	112	0.0	5	0.0	0.0	0.0	0.0	59.5
NB Jaguar - Bldg	0.0	3	3.0	7	0	224	0.0	5	0.0	0.0	0.0	0.0	53.5
San Joaquin Plaza	0.0	3	3.0	7	0	325	20.0	5	0.0	0.0	0.0	0.0	50.2
Harbor Cove	0.0	3	3.0	440	0	470	0.0	5	8.0	7.4	3.0	0.0	36.6

MacPt-Day (with mit)  
Totals

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

SITE	EXIT END	ENTRANCE END	VACUUM NOZZLES	TOTAL	Standard Applied	ORD	MEAS'D
						STD DAY	AMB LEQ DAY
Big Canyon	51.2	36.6	48.8	53.3	60.7	55	60.7
Park Newport	46.5	41.7	47.4	50.6	67.7	55	67.7
NB Jaguar - Open Area	63.5	56.8	54.6	64.8	65.0	65	59.7
NB Jaguar - Bldg	54.6	54.8	53.5	59.1	65.0	65	59.7
San Joaquin Plaza	52.8	38.3	50.2	54.8	65.0	65	57.5
Harbor Cove	39.6	36.3	36.6	42.6	60.8	50	60.8
MITIGATIONS				Vacuum Station Barrier			
	3.5' Barr						

MacPt-Day (with mit)  
Exit End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

EXIT END 70.1 dBA LEQ (ave of two measurements)				
Sound Pressure Level of	70.1	dBA	at	50.0 feet

Critical Freq. (Hz)	1000
---------------------	------

Noise Level at 50'	70.1
--------------------	------

Dist.	dBA
10	84.1
15	80.6
20	78.1
25	76.1
30	74.5
35	73.2
40	72.0
50	70.1
60	68.5
75	66.6
100	64.1

dBA	Dist.
48	637
49	568
50	506
51	451
52	402
53	358
54	319
55	284
60	160
65	90

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	441	15.0	5	0.0	0.0	0.0	0.0	51.2
Park Newport	0.0	10	10.0	7	0	428	0.0	5	0.0	0.0	5.0	0.0	46.5
NB Jaguar - Open Area	0.0	10	10.0	7	0	60	0.0	5	0.0	0.0	5.0	0.0	63.5
NB Jaguar - Bldg	0.0	10	10.0	7	0	168	0.0	5	0.0	0.0	5.0	0.0	54.6
San Joaquin Plaza	0.0	10	10.0	7	0	368	20.0	5	0.0	0.0	0.0	0.0	52.8
Harbor Cove	0.0	10	10.0	390	0	418	0.0	5	8.0	7.0	5.0	0.0	39.6

MacPt-Day (with mit)  
Entrance End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE INT SOURCE  
Last Update: 10-2-09 date: 10-2-09

ENTRANCE END	70.1 - 10
Sound Pressure Level of	60.1 dBA at 50.0 feet
-3 dB for 1/2 ops at night	
Critical Freq. (Hz)	1000

Noise Level at 50'	60.1
--------------------	------

Dist.	dBA
10	74.1
15	70.6
20	68.1
25	66.1
30	64.5
35	63.2
40	62.0
50	60.1
60	58.5
75	56.6
100	54.1

dBA	Dist.
48	201
49	179
50	160
51	143
52	127
53	113
54	101
55	90
60	51
65	28

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	530	15.0	5	0.0	0.0	3.0	36.6
Park Newport	0.0	10	10.0	7	0	415	0.0	5	0.0	0.0	0.0	41.7
NB Jaguar - Open Area	0.0	10	10.0	7	0	52	0.0	5	0.0	0.0	3.0	56.8
NB Jaguar - Bldg	0.0	10	10.0	7	0	92	0.0	5	0.0	0.0	0.0	54.8
San Joaquin Plaza	0.0	10	10.0	7	0	436	20.0	5	0.0	0.0	3.0	38.3
Harbor Cove	0.0	10	10.0	319	0	346	0.0	5	8.0	7.0	0.0	36.3

MacPt-Day (with mit)  
Vacuum Nozzles

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

VACUUM NOZZLES	75.9	each
Sound Pressure Level of	78.9	dBA at 12.0 feet
2 units simul.		
Critical Freq. (Hz)	1000	

Noise Level at 50'	66.5
--------------------	------

Dist.	dBA
10	80.5
12	78.9
20	74.5
25	72.5
30	70.9
35	69.6
40	68.4
50	66.5
60	64.9
75	63.0
100	60.5

dBA	Dist.
48	421
49	375
50	334
51	298
52	266
53	237
54	211
55	188
60	106
65	59

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit wall	Noise Level (dBA)
Big Canyon	0.0	3	3.0	7	0	385	15.0	5	0.0	0.0	0.0	0.0	48.8
Park Newport	0.0	3	3.0	7	0	449	0.0	5	0.0	0.0	0.0	0.0	47.4
NB Jaguar - Open Area	0.0	3	3.0	7	0	112	0.0	5	3.5	4.9	0.0	0.0	54.6
NB Jaguar - Bldg	0.0	3	3.0	7	0	224	0.0	5	0.0	0.0	0.0	0.0	53.5
San Joaquin Plaza	0.0	3	3.0	7	0	325	20.0	5	0.0	0.0	0.0	0.0	50.2
Harbor Cove	0.0	3	3.0	440	0	470	0.0	5	8.0	7.4	3.0	0.0	36.6

MacPt-Night (no mit)  
Totals

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

SITE	EXIT END	ENTRANCE END	VACUUM NOZZLES	TOTAL	Standard	ORD	MEAS'D
					Applied	STD NIGHT	AMB LEQ NIGHT
Big Canyon	48.2	0.0 insignificant (FG)	44.0	49.60	50.0	50	45.9
Park Newport	43.5	38.7	42.7	46.8	65.4	50	65.4
NB Jaguar - Open Area	60.5	56.8	51.7	62.4 * * - not open at night	60.0	60	49.2
NB Jaguar - Bldg	51.6	51.8	48.7	55.7	60.0	60	49.2
San Joaquin Plaza	49.8	35.3	45.5	51.3	60.0	60	44.3
Harbor Cove	36.6	33.3	31.8	39.2	53.1	50	53.1
MITIGATIONS				Vacuum Station Barrier			
	0.0' Barr						
	No Mitigation						

MacPt-Night (no mit)  
Exit End

Jumboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

EXIT END 70.1 dBA LEQ (ave of two measurements)			
Sound Pressure Level of	67.1	dBA at	50.0 feet
-3 dB for 1/2 ops at night			
Critical Freq. (Hz)	1000		

Noise Level at 50'	67.1
--------------------	------

Dist.	dBA
10	81.1
15	77.6
20	75.1
25	73.1
30	71.5
35	70.2
40	69.0
50	67.1
60	65.5
75	63.6
100	61.1

dBA	Dist.
48	451
49	402
50	358
51	319
52	284
53	253
54	226
55	201
60	113
65	64

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	441	15.0	5	0.0	0.0	0.0	0.0	48.2
Park Newport	0.0	10	10.0	7	0	428	0.0	5	0.0	0.0	5.0	0.0	43.5
NB Jaguar - Open Area	0.0	10	10.0	7	0	60	0.0	5	0.0	0.0	5.0	0.0	60.5
NB Jaguar - Bldg	0.0	10	10.0	7	0	168	0.0	5	0.0	0.0	5.0	0.0	51.6
San Joaquin Plaza	0.0	10	10.0	7	0	368	20.0	5	0.0	0.0	0.0	0.0	49.8
Harbor Cove	0.0	10	10.0	390	0	418	0.0	5	8.0	7.0	5.0	0.0	36.6



MacPt-Night (no mit)  
Entrance End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE INT SOURCE  
Last Update: 10-2-09 Date: 10-2-09

ENTRANCE END		70.1 - 10 - 3	
Sound Pressure Level of	57.1	dBA at	50.0 feet
-3 dB for 1/2 ops at night			
Critical Freq. (Hz)	1000		

Noise Level at 50'	57.1
--------------------	------

Dist.	dBA
10	71.1
15	67.6
20	65.1
25	63.1
30	61.5
35	60.2
40	59.0
50	57.1
60	55.5
75	53.6
100	51.1

dBA	Dist.
48	143
49	127
50	113
51	101
52	90
53	80
54	71
55	64
60	36
65	20

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	530	15.0	5	0.0	0.0	3.0	33.6
Park Newport	0.0	10	10.0	7	0	415	0.0	5	0.0	0.0	0.0	38.7
NB Jaguar - Open Area	0.0	10	10.0	7	0	52	0.0	5	0.0	0.0	0.0	56.8
NB Jaguar - Bldg	0.0	10	10.0	7	0	92	0.0	5	0.0	0.0	0.0	51.8
San Joaquin Plaza	0.0	10	10.0	7	0	436	20.0	5	0.0	0.0	3.0	35.3
Harbor Cove	0.0	10	10.0	319	0	346	0.0	5	8.0	7.0	0.0	33.3

MacPt-Night (no mit)  
Vacuum Nozzles

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

VACUUM NOZZLES	75.9	each
Sound Pressure Level of	74.1	dBA at 12.0 feet
with -1.76 for 10 min out of 15		
Critical Freq. (Hz)	1000	

adjustment for vacuum operating 10 minutes out of 15
-1.76091

Noise Level at 50'	61.7
--------------------	------

Dist.	dBA
10	75.7
12	74.1
20	69.7
25	67.8
30	66.2
35	64.8
40	63.7
50	61.7
60	60.2
75	58.2
100	55.7

dBA	Dist.
48	243
49	217
50	193
51	172
52	154
53	137
54	122
55	109
60	61
65	34

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	3	3.0	7	0	385	15.0	5	0.0	0.0	0.0	0.0	44.0
Park Newport	0.0	3	3.0	7	0	449	0.0	5	0.0	0.0	0.0	0.0	42.7
NB Jaguar - Open Area	0.0	3	3.0	7	0	112	0.0	5	0.0	0.0	3.0	0.0	51.7
NB Jaguar - Bldg	0.0	3	3.0	7	0	224	0.0	5	0.0	0.0	0.0	0.0	48.7
San Joaquin Plaza	0.0	3	3.0	7	0	325	20.0	5	0.0	0.0	0.0	0.0	45.5
Harbor Cove	0.0	3	3.0	440	0	470	0.0	5	8.0	7.4	3.0	0.0	31.8

MacPt-Night (with mit)  
Totals

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

							MEAS'D AMB LEQ NIGHT
SITE	EXIT END	ENTRANCE END	VACUUM NOZZLES	TOTAL	Standard Applied	ORD STD NIGHT	
Big Canyon	48.2	0.0 insignificant (FG)	44.0	49.60	50.0	50	45.9
Park Newport	43.5	38.7	42.7	46.8	65.4	50	65.4
NB Jaguar - Open Area	60.5	56.8	46.8	62.2    *	60.0	60	49.2
				* - not open at night			
NB Jaguar - Bldg	51.6	51.8	48.7	55.7	60.0	60	49.2
San Joaquin Plaza	49.8	35.3	45.5	51.3	60.0	60	44.3
Harbor Cove	36.6	33.3	31.8	39.2	53.1	50	53.1
MITIGATIONS							
	3.5' Barr			Vacuum Station Barrier			

MacPt-Night (with mit)  
Exit End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

EXIT END	70.1 dBA LEQ (ave of two measurements)			
Sound Pressure Level of	67.1	dBA	at	50.0 feet
-3 dB for 1/2 ops at night				
Critical Freq. (Hz)	1000			

Noise Level at 50'	67.1
--------------------	------

Dist.	dBA
10	81.1
15	77.6
20	75.1
25	73.1
30	71.5
35	70.2
40	69.0
50	67.1
60	65.5
75	63.6
100	61.1

dBA	Dist.
48	451
49	402
50	358
51	319
52	284
53	253
54	226
55	201
60	113
65	64

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	441	15.0	5	0.0	0.0	0.0	0.0	48.2
Park Newport	0.0	10	10.0	7	0	428	0.0	5	0.0	0.0	5.0	0.0	43.5
NB Jaguar - Open Area	0.0	10	10.0	7	0	60	0.0	5	0.0	0.0	5.0	0.0	60.5
NB Jaguar - Bldg	0.0	10	10.0	7	0	168	0.0	5	0.0	0.0	5.0	0.0	51.6
San Joaquin Plaza	0.0	10	10.0	7	0	368	20.0	5	0.0	0.0	0.0	0.0	49.8
Harbor Cove	0.0	10	10.0	390	0	418	0.0	5	8.0	7.0	5.0	0.0	36.6

MacPt-Night (with mit)  
Entrance End

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE INT SOURCE  
Last Update: 10-2-09 date: 10-2-09

ENTRANCE END	70.1 - 10 - 3
Sound Pressure Level of	57.1 dBA at 50.0 feet
-3 dB for 1/2 ops at night	
Critical Freq. (Hz)	1000

Noise Level at 50'	57.1
--------------------	------

Dist.	dBA
10	71.1
15	67.6
20	65.1
25	63.1
30	61.5
35	60.2
40	59.0
50	57.1
60	55.5
75	53.6
100	51.1

dBA	Dist.
48	143
49	127
50	113
51	101
52	90
53	80
54	71
55	64
60	36
65	20

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Noise Level (dBA)
Big Canyon	0.0	10	10.0	7	0	530	15.0	5	0.0	0.0	3.0	33.6
Park Newport	0.0	10	10.0	7	0	415	0.0	5	0.0	0.0	0.0	38.7
NB Jaguar - Open Area	0.0	10	10.0	7	0	52	0.0	5	0.0	0.0	0.0	56.8
NB Jaguar - Bldg	0.0	10	10.0	7	0	92	0.0	5	0.0	0.0	0.0	51.8
San Joaquin Plaza	0.0	10	10.0	7	0	436	20.0	5	0.0	0.0	3.0	35.3
Harbor Cove	0.0	10	10.0	319	0	346	0.0	5	8.0	7.0	0.0	33.3

MacPt-Night (with mit)  
Vacuum Nozzles

Jamboree Chevron Car Wash, Newport Beach  
City of Newport Beach - Kay Sims  
PROJECT #512901-0200  
FRED / MIKE; November 2010

BARRIER PREDICTION WORKSHEET, POINT SOURCE  
Last Update: 10-2-09

VACUUM NOZZLES		75.9	each
Sound Pressure Level of	74.1	dBA	at 12.0 feet
with -1.76 for 10 min out of 15			
Critical Freq. (Hz)	1000		

adjustment for vacuum operating 10 minutes out of 15
-1.76091

Noise Level at 50'	61.7
--------------------	------

Dist.	dBA
10	75.7
12	74.1
20	69.7
25	67.8
30	66.2
35	64.8
40	63.7
50	61.7
60	60.2
75	58.2
100	55.7

dBA	Dist.
48	243
49	217
50	193
51	172
52	154
53	137
54	122
55	109
60	61
65	34

Location	Car Wash Elevation	Source Ht	Source Elevation	Distance To Wall	Base Of Wall	Dist. To Observer	Pad Elevation	Observer Height	Wall Height	Barrier Reduction	Self Shield	Add'l Mit	Noise Level (dBA)
Big Canyon	0.0	3	3.0	7	0	385	15.0	5	0.0	0.0	0.0	0.0	44.0
Park Newport	0.0	3	3.0	7	0	449	0.0	5	0.0	0.0	0.0	0.0	42.7
NB Jaguar - Open Area	0.0	3	3.0	7	0	112	0.0	5	3.5	4.9	3.0	0.0	46.8
NB Jaguar - Bldg	0.0	3	3.0	7	0	224	0.0	5	0.0	0.0	0.0	0.0	48.7
San Joaquin Plaza	0.0	3	3.0	7	0	325	20.0	5	0.0	0.0	0.0	0.0	45.5
Harbor Cove	0.0	3	3.0	440	0	470	0.0	5	8.0	7.4	3.0	0.0	31.8

## **Attachment No. PC 7**

Police Department: Alcohol-Related  
Statistics Report

**City of Newport Beach  
Police Department**

**M e m o r a n d u m**

February 7, 2011

**TO:** Kay Sims, Planning Department

**FROM:** Detective Brian Haas

**SUBJECT:** Terrible Herbst, Inc. (Owner)  
1550 Jamboree Road, UP 2008-051 (PA2008-165)

At your request, the Police Department has reviewed the project application for Terrible Herbst, Inc., located at 1550 Jamboree Road, Newport Beach. This location is currently operating as a Chevron Gas Station. The proposal consists of a remodel of the existing fuel/service station to remove all service bays in order to expand the convenience store and make exterior enhancements to the existing structure. The construction of a new automated car wash building will also be added at the rear of the site. In addition, the proposal includes a request to allow the sale of beer and wine from the convenience store.

The applicant will apply for a Type 20 (Beer & Wine) license with the Department of Alcoholic Beverage Control. The license will be conditioned appropriately to protect the health, safety and welfare of the community.

This location is within an area where the number of crimes is above the City wide reporting district average. This location is within an RD that is over the Orange County per capita of ABC licenses.

**Applicant History:**

The Terrible Herbst Corporation has been in business for over 60 years. They operate over 80 locations throughout Nevada, California, Arizona and Utah. These locations include gas stations/convenience stores, lubes and car wash facilities. They also own and operate three casinos in the State of Nevada.

**Hours of Operation:**

The gas station and convenience market would be operational 24 hours per day, 7 days per week. The automated car wash on the property would be operational from 7:00 a.m. to 10:00 p.m.

**Security:**

No recommendations from the Police Department.



**Additional Comments:**

The Police Department has no objection to the operation as described by the applicant.

**Signs and Displays:**

Any signs or displays would need to conform to City requirements. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.

We also recommend that the displays, shelving, etc. be positioned in such a way that the clerk can be seen from outside the building.

**Employee Training:**

Require all owners, managers, and employees selling alcoholic beverages to undergo and successfully complete a certified training program in responsible methods and skills for serving and selling alcoholic beverages.

**Other Recommended Conditions:**

In addition, the Police Department has determined that the following conditions would be appropriate for the Conditional Use Permit for the business:

1. No alcoholic beverages shall be consumed on any property adjacent to licensed premises under the control of the licensee.
2. The Petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as follows:

**NO LOITERING, NO LITTERING  
NO DRINKING OF ALCOHOLIC BEVERAGES  
VIOLATORS ARE SUBJECT TO ARREST**

The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.

3. Beer, malt beverages and wine coolers in containers of 16 oz. or less cannot be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities.
4. Wine shall not be sold in bottles or containers smaller than 750 ml.
5. No person under the age of 21 shall sell or deliver alcoholic beverages.

6. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted.
7. No alcoholic beverages shall be sold between the hours of 2:00 a.m. and 6:00 a.m.

**Alcoholic Beverage Control License**

Upon approval of the CUP, the ABC license will be conditioned as necessary to maintain the health, safety and welfare of the community.

If you have any questions, please contact Detective Brian Haas at (949) 644-3709.



Brian Haas, Vice/Intel/ABC  
Detective Division



Craig Fox, Captain  
Detective Division Commander

# City of Newport Beach

## Police Department

### Memorandum

February 22, 2011

TO: Kay Sims, Assistant Planner

FROM: Paul Salenko, Crime Analyst

SUBJECT: Alcohol Related Statistics

At your request, our office has reviewed police services data for the **Jamboree Chevron** at **1550 Jamboree Road**. This area encompasses our reporting district (RD) number 39 as well as part of Census Tract 630.08. This report reflects **City of Newport Beach** crime data for calendar year 2009, which is the most current data available.

#### Calls for Service Information

City wide there were approximately 69,294 calls for police services during this time, of which 5,213 were in RD39. A "call for service" is, *any contact of the police department by a citizen which results in the dispatching of a unit or causes the contacted employee to take some sort of action*, such as criminal investigations, alarm responses, traffic accidents, parking problems, and animal control calls, etc.

#### Crime Information

There were 6,194 crimes reported to the Newport Beach Police Department during this period. Of this total, 2,884 were Part One Crimes. Part One crimes are the eight most serious crimes (*Homicide, forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny-theft, Auto Theft and Arson*) as defined by the FBI in the Uniform Crime Reports. The remaining 3,350 were Part Two crimes. The Part One crime rate for the entire city during this same period was 3,297.31 per 100,000 people. The national Part One crime rate was 3,465.52\* per 100,000 people.

Crimes	RD 39	Newport Beach	California*	National*
Part 1	242	2,884	1,184,073	10,639,369
Part 2	159	3,350	N/A	N/A
Part 1 Crime Rate	26,449.28	3,297.31	3,203.52	3,465.52

The number of active ABC licenses in this RD is 47\*\*

Per capita ratio 1 license for every 19 residents.

This reporting district had a total of 461 reported crimes as compared to a City wide reporting district average of 162 reported crimes. This reporting district is 299 crimes over or 184.57% above the City wide reporting district average. This location is within an RD that is over the Orange County per capita average of ABC licenses\*\*.

### Arrest Information

There were 41 DUI arrests and 19 Plain Drunk arrest in this area during this same period as compared to 1,270 for the entire city. This RD amounts to 4.72% of the DUI/Drunk arrests made in the entire City. According to a recent national study by the Department of Justice, more than 36% of adult offenders convicted of crimes in 2009 had been drinking at the time of their arrest.

Arrests (DUI/Drunk)	RD 39 60	Newport Beach 1,270	California* 324,442	National* 2,095,731
Total Arrests	234	3,595	1,474,004	13,687,241

### Additional Information

The Alcoholic Beverage Outlets ordinance states that the Planning Commission shall consider the crime rate in the adjacent reporting districts. The two adjacent reporting districts you requested are RD 44 and RD 43

Crimes	RD 44	RD 43
Part 1	143	23
Part 2	146	17
Crime Rate	2,426.52	2,046.86
Arrests (DUI/Drunk)	80	6
Total Arrests	208	15
Calls For Service	4,661	2,046.86
Number of active ABC licenses	27**	7**
Per capita ratio 1 license for every	218* residents	161* residents.

**Note:** It is important to remember that when dealing with small numbers any change greatly affects any percentage changes.

The population figure used for the Crime Rate was 86,252.

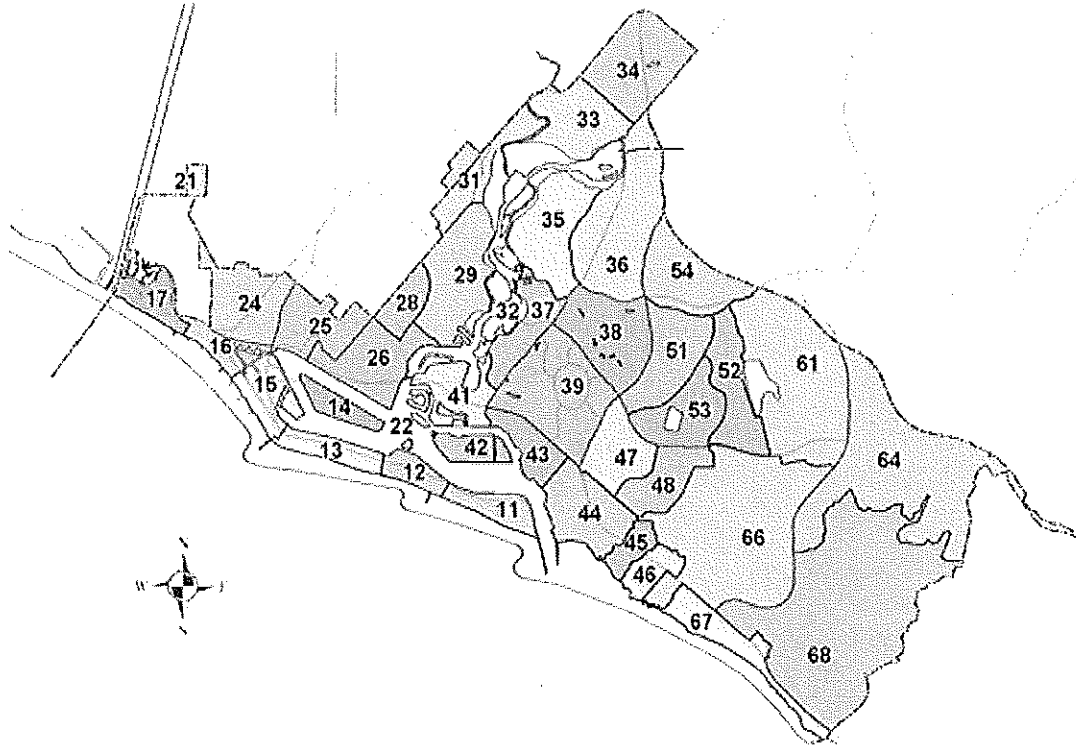
\*These numbers are from the 2009 Uniform Crime Reports, which is the most recent edition.

\*\*The number of active ABC licenses is the total of all types of licenses known to the police department as of the date of this document. As of June 30, 2009 the Orange County average of active, retail ABC licenses was 1 license for every 542 residents. (5,589 licenses and a population of 3,026,786)

If you are in need of any further assistance, please contact me at (949) 644-3791.

Paul Salenko  
Crime Analysis Unit

## Crime Reporting Districts



# **Attachment No. PC 8**

Photos







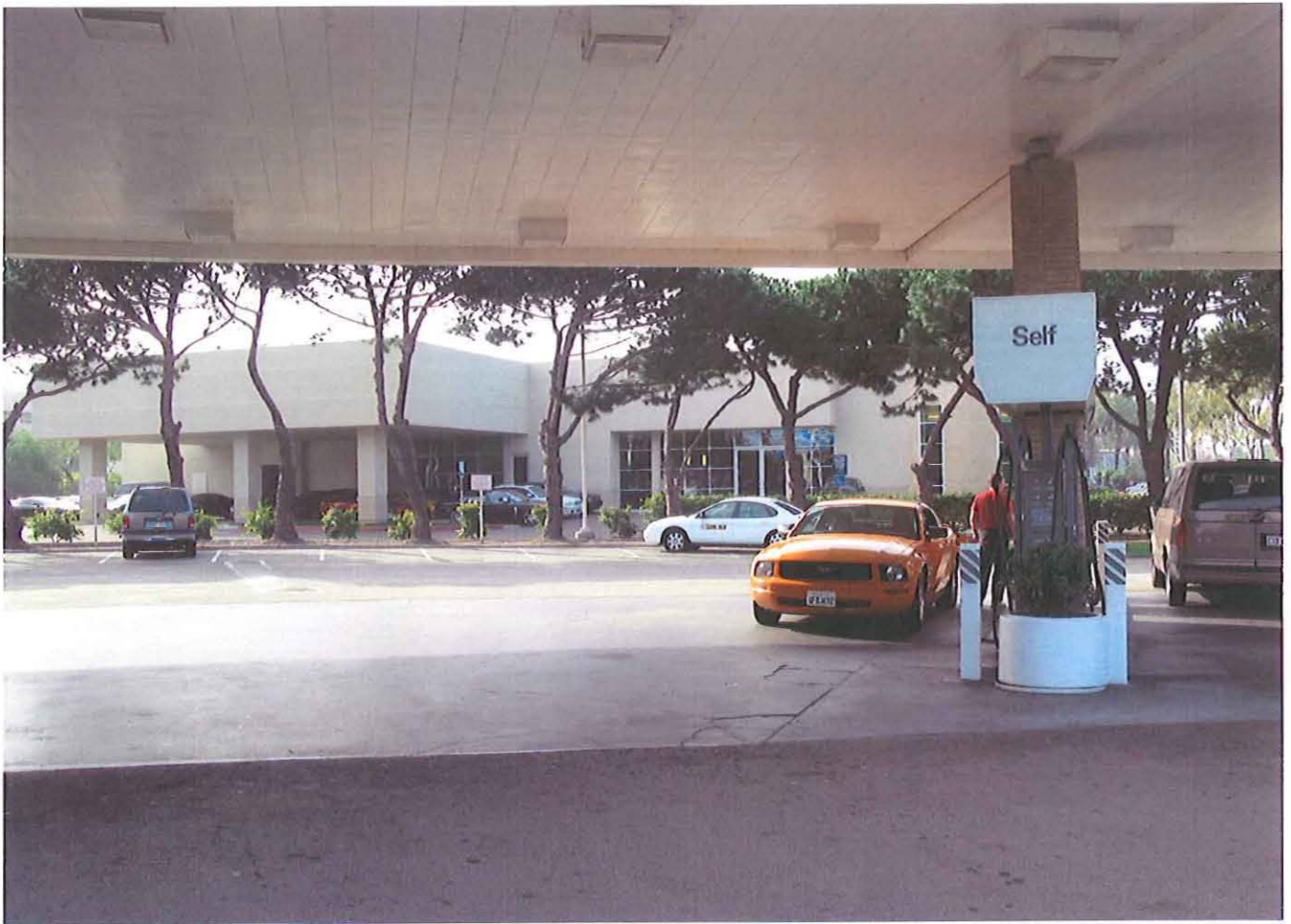
























## **Attachment No. PC 9**

Plans



# Proposed Remodel for Chevron Station #9-3045

1550 Jamboree Road, Newport Beach, CA 92660

RECEIVED BY  
PLANNING DEPARTMENT  
FEB 24 2011

CITY OF NEWPORT BEACH

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6. The drawing will be updated by letter if issued in a Preliminary format for discussion.	
7. USA per plot size	USDA required to be verified
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Plot 100	color

Rev	Date	Comments	Initial
1	3/05/08	ISSUE TO IRVINE COMPANY	J.B.
2	4/01/08	RE-ISSUE TO IRVINE COMPANY	J.B.
3	4/28/08	RE-ISSUE TO IRVINE COMPANY	J.W.
4	8/25/08	AFB SUBMITTAL	J.W.
5	8/17/08	AFB RE-SUBMITTAL	J.B.
6	8/18/08	RE-ISSUE TO IRVINE COMPANY	SPD
7	2/27/09	AFB RE-SUBMITTAL	SPD
8	8/24/09	AFB RE-SUBMITTAL	SPD
9	2/23/11	CUP RE-SUBMITTAL	SPD

## PROJECT DATA

### PROJECT ADDRESS

1550 JAMBOREE ROAD  
NEWPORT BEACH, CA 92660

### LEGAL DESCRIPTION

PARCEL 2 AS SHOWN ON A MAP FILED IN BOOK 34, PG. 49, OF PARCEL MAPS IN THE OFFICE OF THE ORANGE COUNTY RECORDER.

### SCOPE OF WORK

A REMODEL OF AN EXISTING GAS STATION IN THE CITY OF NEWPORT BEACH ON THE SOUTHERN CORNER OF JAMBOREE ROAD AT SAN JOAQUIN HILLS ROAD (330 37' 29" N / 1170 52' 45" W).

THE EXISTING STATION CONTAINED A SMALL CONVENIENCE STORE (C-STORE) WITH THREE SERVICE BAYS. THE THREE SERVICE BAY LIFTS HAVE BEEN REMOVED. THE FUELING ISLANDS AND CANOPY LIGHTING UPGRADED BY SEPARATE CONTRACT, AND ALL EXISTING UNDERGROUND STORAGE TANKS WILL REMAIN.

ALL INTERIOR WALLS ARE TO BE REMOVED TO ACCOMMODATE A NEW C-STORE LAYOUT. SERVICE BAY FLOOR AREA IS TO BE CONVERTED TO THE NEW C-STORE FLOOR AREA. THERE ARE TO BE REFRIGERATED REACH-INS, COLD STORAGE, STORAGE, AND NEW ADA COMPLIANT REST ROOMS. A SUSPENDED ACUSTIC TILE CEILING (AT +12'-0") WILL BE USED IN CUSTOMER FACING AREAS. EXISTING OPENINGS ARE TO BE REMOVED WHEREVER POSSIBLE. EXISTING STOREFRONT ENTRANCES WILL BE REMOVED AND NEW C-STORE ENTRANCES CREATED UNDER THE EXISTING CANOPY.

NEW EXTERIOR FINISHES ARE STUCCO WITH A STACKED STONE VENEER AS A SECONDARY FINISH. THE EXISTING CANOPY AND ASSOCIATED LIGHTING HAS BEEN UPGRADED BY SEPARATED CONTRACT.

AS PART OF THE FACILITY UPGRADE A NEW CAR WASH STRUCTURE IS TO BE BUILT. THIS IS A NEW STRUCTURE TO BE BUILT FROM THE GROUND UP. ANOTHER FACILITY UPGRADE IS A NEW TRASH ENCLOSURE WITH ROOF. THESE STRUCTURES WILL USE THE SAME FINISH MATERIALS AS THE STATION FOR A UNIFIED DESIGN AESTHETIC.

### AREAS

EXISTING SITE AREA: 43,314 S.F. (0.99 AC)

### EXISTING

FLOOR AREA OF SERVICE STATION: 2,256 GROSS SQ. FT.

EXISTING STATION FOOTPRINT: 2,449 S.F.

EXISTING CANOPY: 6,924 S.F.

TOTAL STRUCTURE: 9,373 S.F.

EXISTING TRASH ENCLOSURE (TO BE DEMO'D): 453 S.F.

LANDSCAPING: 8,768 S.F.

HARDSCAPE: 31,643 S.F.

NUMBER OF FUELING PUMPS: 18

### PROPOSED

STATION FOOTPRINT: 2,372 S.F.

CANOPY: 6,924 S.F.

TOTAL PROPOSED STRUCTURE: 9,296 S.F.

NEW TRASH ENCLOSURE (TO REPLACE EXISTING): 235 S.F.

NEW CAR WASH BUILDING: 1,661 S.F.

NUMBER OF FUELING PUMPS: 8

LANDSCAPING: 7,332 S.F.

HARDSCAPE: 31,714 S.F.

### CHANGE

STATION FOOTPRINT: -77.3 S.F.

CANOPY: NO CHANGE

NEW CAR WASH BUILDING: +1,661.2 S.F.

OFFICE / STORAGE STRUCTURE (DEMO): -217.8 S.F.

TOTAL STRUCTURE: +1,366.1 S.F.

TRASH ENCLOSURE (DEMO): -259 S.F.

NUMBER OF FUELING PUMPS: NO CHANGE

LANDSCAPING: -1,436.6 S.F.

HARDSCAPE: +70.5 S.F.

### REQUIRED

MINIMUM LAND AREA (SECTION 20.48.210)

"MINIMUM LAND AREA. THE MINIMUM LAND AREA FOR SERVICE STATIONS SHALL BE 1,500 SQUARE FEET OF LAND AREA FOR EACH FUELING SPACE, 1,000 SQUARE FEET FOR EACH SERVICE BAY OR WASHING BAY, AND 3.33 SQUARE FEET FOR EACH SQUARE FOOT OF GROSS FLOOR AREA USED FOR RETAIL AND/OR FOOD AND BEVERAGE SALES."

FUELING PUMPS: (16) PUMPS AT 1,500 EA = 24,000 S.F.

CAR WASH: (2) WASHING BAYS @ 1,000 EA = 2,000 S.F.

C-STORE STRUCTURE: 7,512 S.F.

GROSS FLOOR AREA x 3.33 S.F. (2,256 x 3.33) = 7,512 S.F.

THE TOTAL REQUIRED SITE AREA IS 21,699 SQUARE FEET. (24,000 + 2,000 + 7,512 = 33,512)

OUR SITE IS 43,314 SQUARE FEET. (BASED ON AN ALTA SURVEY). OUR SITE AREA IS MORE THAN REQUIRED. (43,314 > 33,512)

### PARKING

#### REQUIRED

C-STORE (1) CAR FOR EVERY 200 S.F. OF GROSS FLOOR AREA

2,256 / 200 = 11.3 CARS

CAR WASH QUEUE: 5 CARS

TOTAL NUMBER OF CARS REQUIRED: 17 CARS

OF THE TOTAL NUMBER OF PROVIDED CAR PARKING ONE MUST BE VAN ACCESSIBLE.

#### PROVIDED

STANDARD STALL (8'-6" x 17'-0" @ 90°): 11 CARS

VAN ACCESSIBLE (9'-0" x 20'-0" WITH 8'-0" SIDE ACCESS): 1 CAR

CAR WASH QUEUE LINE: 5 CARS

TOTAL PARKING PROVIDED: 17 CARS

## PROJECT INFORMATION

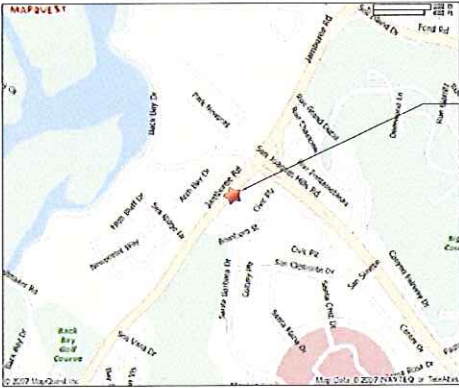
OWNER TERRIBLE HERBST, INC.  
5195 LAS VEGAS BLVD.  
LAS VEGAS, NV 89119

CONTACT: TIM HERBST  
TELEPHONE: 702-798-6400  
FAX: 702-798-8079

DESIGNER SDA PARTNERSHIP  
4 VENTURE  
IRVINE, CA 92618

CONTACT: ANDY WILKS  
TELEPHONE: 949.754.0450  
FAX: 949.754.0448

## SITE LOCATION



PROJECT SITE  
1550 JAMBOREE ROAD  
NEWPORT BEACH, CA 92660

## SHEET INDEX

### ARCHITECTURAL

A0.0	COVER SHEET
A1.1	EXISTING SITE PLAN
A1.2	EXISTING FLOOR PLAN
A1.3	EXISTING EXTERIOR ELEVATIONS
A2.1	PROPOSED SITE PLAN
A2.2	PROPOSED FLOOR PLAN - C-MARKET
A2.3	PROPOSED EXTERIOR ELEVATIONS - C-MARKET
A2.4	PROPOSED FLOOR PLAN - CAR WASH
A2.5	PROPOSED EXTERIOR ELEVATIONS - CAR WASH
A2.6	PROPOSED LANDSCAPE AREAS EXHIBIT

LO-50706 PROPOSED EXTERIOR LIGHTING PLAN

### CIVIL

ALTA EXISTING SITE PLAN (ALTA SURVEY)

### LANDSCAPE

L-1	LANDSCAPE DEMO (SOUTHERN)
L-2	LANDSCAPE DEMO (NORTHERN)
L-3	LANDSCAPE IRRIGATION (SOUTHERN)
L-4	LANDSCAPE IRRIGATION (NORTHERN)
L-5	LANDSCAPE PLANTING (SOUTHERN)
L-6	LANDSCAPE PLANTING (NORTHERN)
L-7	LANDSCAPE LIGHTING
L-8	IRRIGATION DETAILS
L-9	PLANTING DETAILS
L-10	IRRIGATION SPECIFICATIONS
L-11	IRRIGATION SPECIFICATIONS
L-12	PLANTING SPECIFICATIONS
L-13	PLANTING SPECIFICATIONS
L-14	PLANTING SPECIFICATIONS

### Key Plan

This drawing has been corrected from a metric format. yes / no

SDA Partnership USA, Inc.  
Architecture/Engineering/Interior Design/Real Estate/Construction/Graphic Design  
1000 N. Main St., Suite 1000  
Irvine, CA 92614  
Tel: 949.754.0450  
Fax: 949.754.0448

### Project

CHEVRON STATION #9-3045  
1550 JAMBOREE RD.  
NEWPORT BEACH, CA 92660

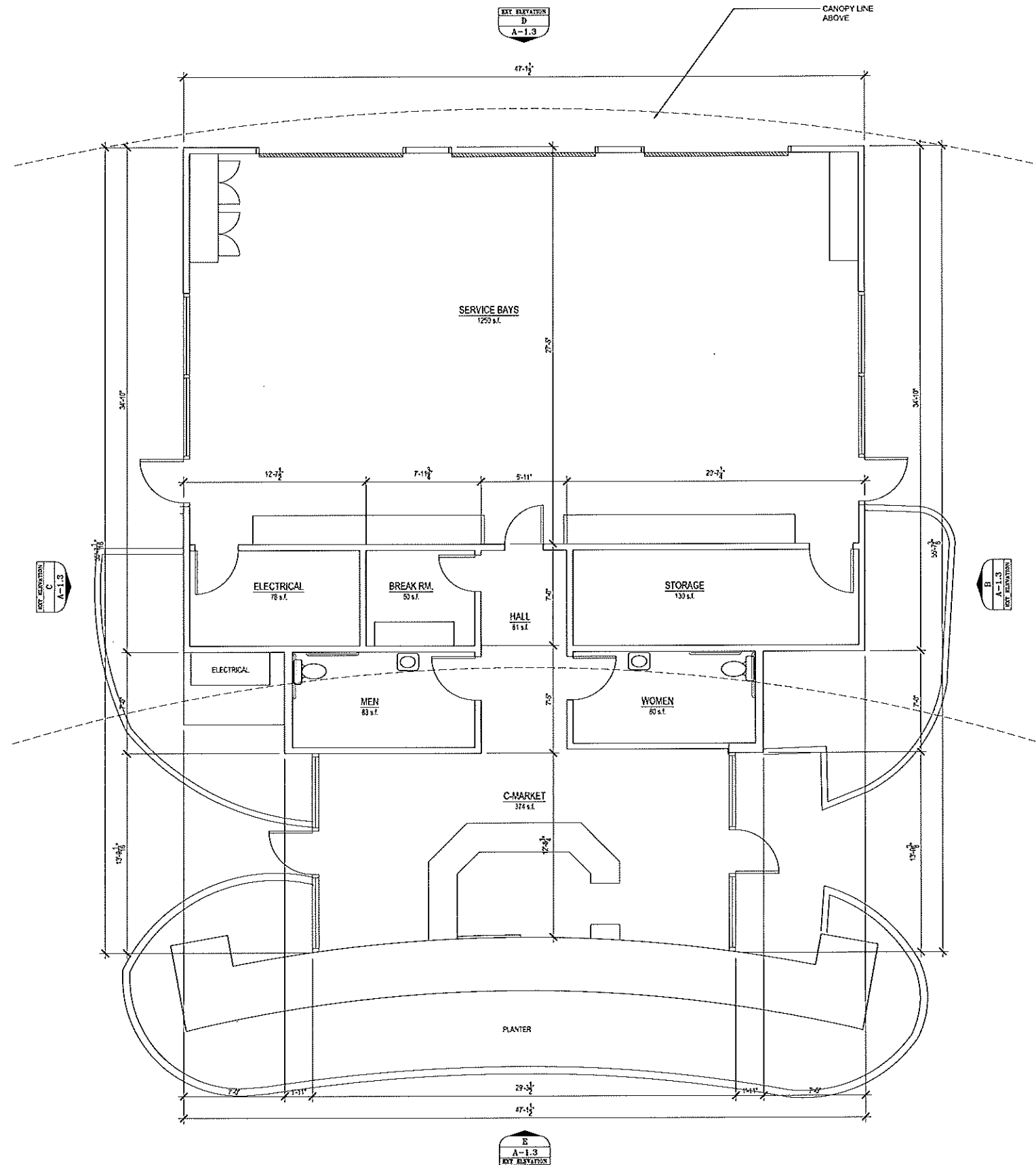
### Drawing Title

COVER SHEET

Job No	USA 0254	Dwg No	Rev
Scale	Date	Drawn	Checked
	02/23/11		







**A** EXISTING FLOOR PLAN - C MARKET  
1/4"=1'-0"

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Item	Material	Quantity	Unit	Price	Total
1	Concrete	100	cuyd	0.25	25.00
2	Rebar	100	lb	0.05	5.00
3	Formwork	100	sq ft	0.10	10.00
4	Gravel	100	cuyd	0.15	15.00
5	Asphalt	100	sq ft	0.02	2.00

All other items are to be S.D. at the discretion of the contractor.

Rev	Date	Comments	By
1	01.01.01	ISSUE TO RYNE COMPANY	J.B.
2	01.01.01	RE-ISSUE TO RYNE COMPANY	J.B.
3	01.01.01	RE-ISSUE TO RYNE COMPANY	J.B.
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99	01.01.01	RE-ISSUE TO RYNE COMPANY	J.B.
100	01.01.01	RE-ISSUE TO RYNE COMPANY	J.B.

Key Plan

This drawing has been constructed from a metric format. See page 1 of 10.

**SDA** SDA Partnership USA, Inc.  
Architecture/Engineering/Interior Design/Architectural/Graphic Design  
4000 S. Main Street, Suite 200, Newport Beach, CA 92660  
Phone: (949) 754-1111 Fax: (949) 754-1112

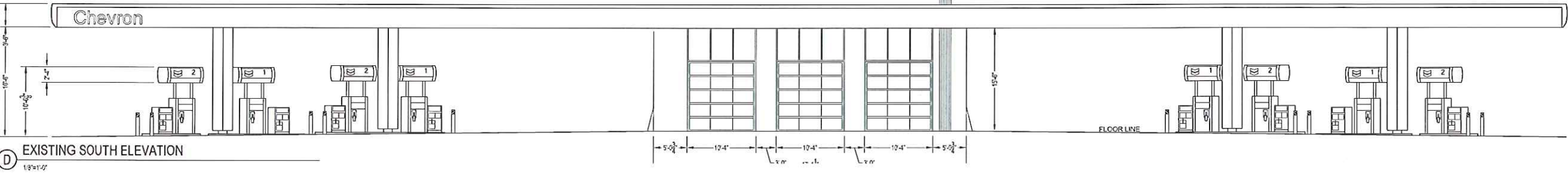
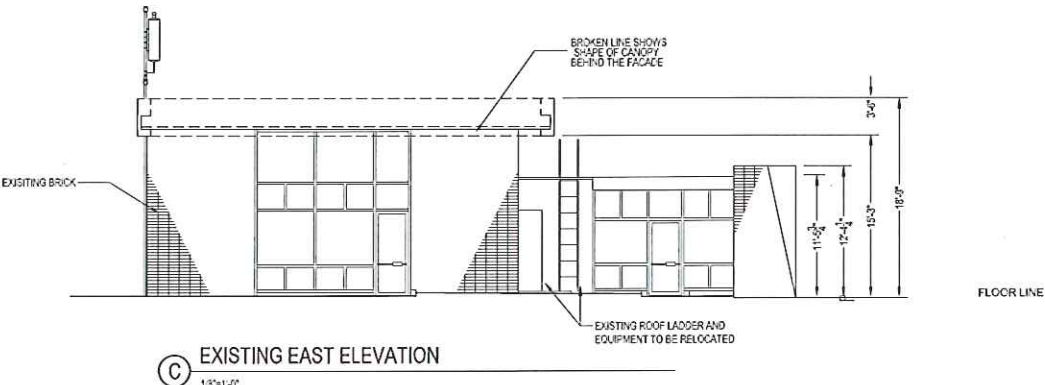
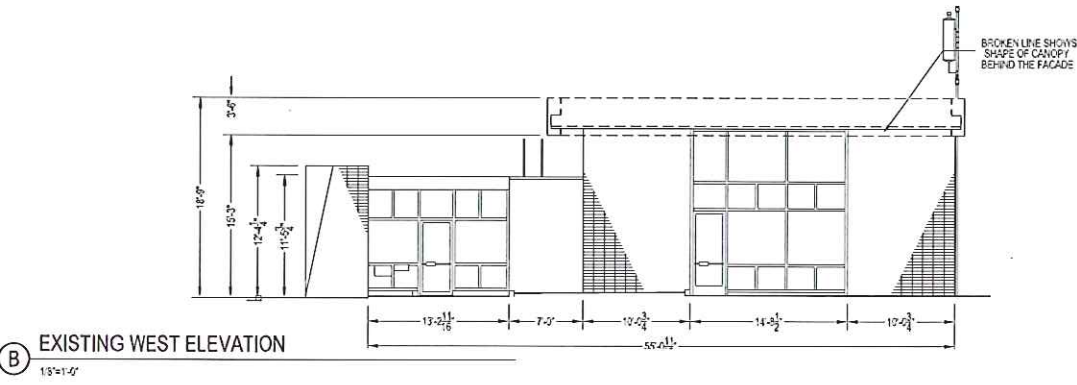
**Project**  
CHEVRON STATION #9-3045  
1550 JAMBOREE RD.  
NEWPORT BEACH, CA 92660

**Drawing Title**  
EXISTING FLOOR PLAN  
C MARKET

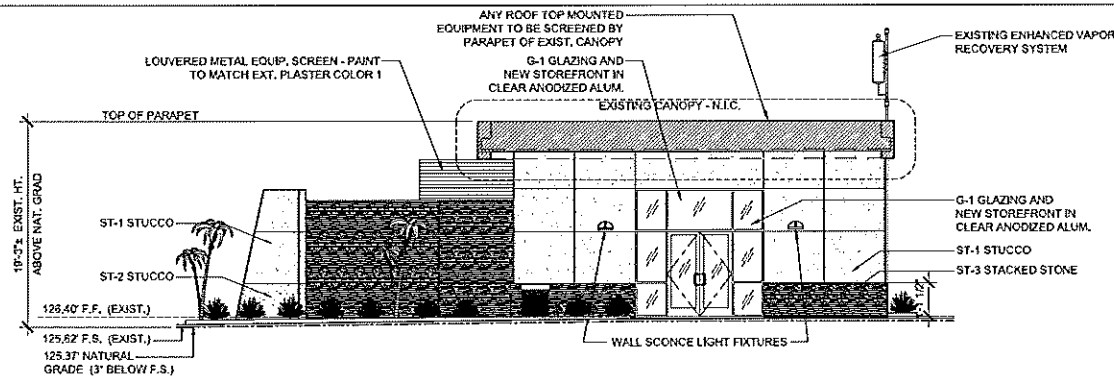
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6. This drawing is not to be used for any other purpose without SDA's written consent.  
7. SDA and its affiliates are not responsible for the accuracy of the information provided in this drawing.  
8. SDA and its affiliates are not responsible for the accuracy of the information provided in this drawing.  
9. SDA and its affiliates are not responsible for the accuracy of the information provided in this drawing.  
10. SDA and its affiliates are not responsible for the accuracy of the information provided in this drawing.

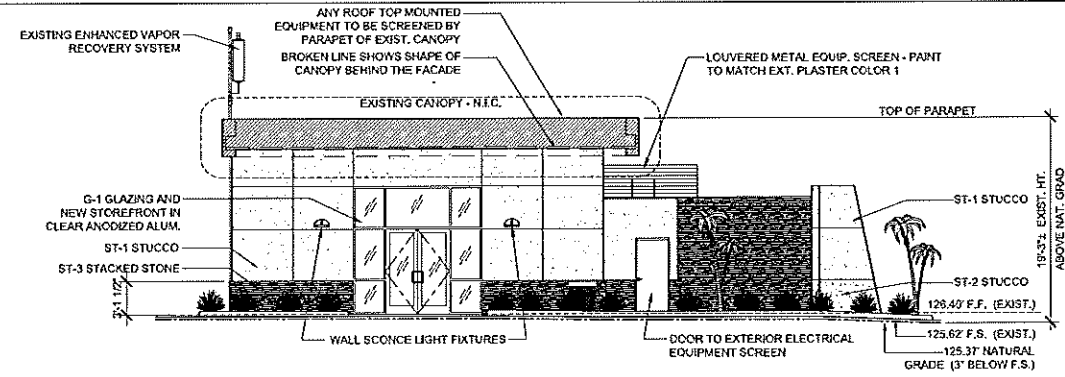
(A) NOT USED  
1/8"=1'-0"



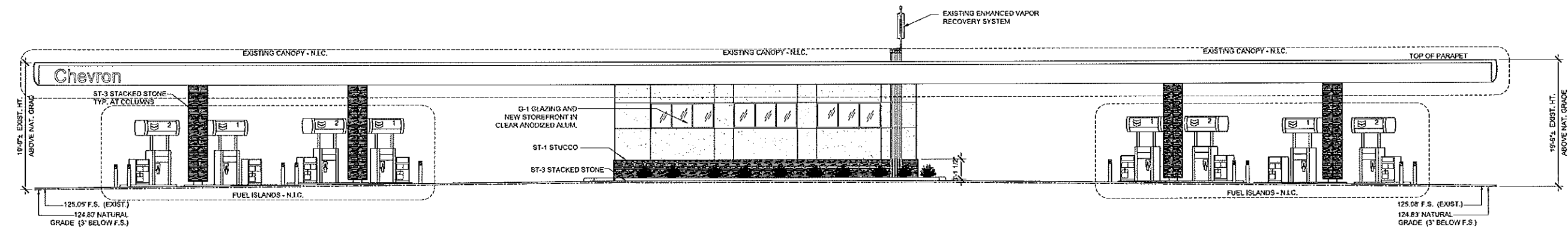
(A) NOT USED  
1/8"=1'-0"



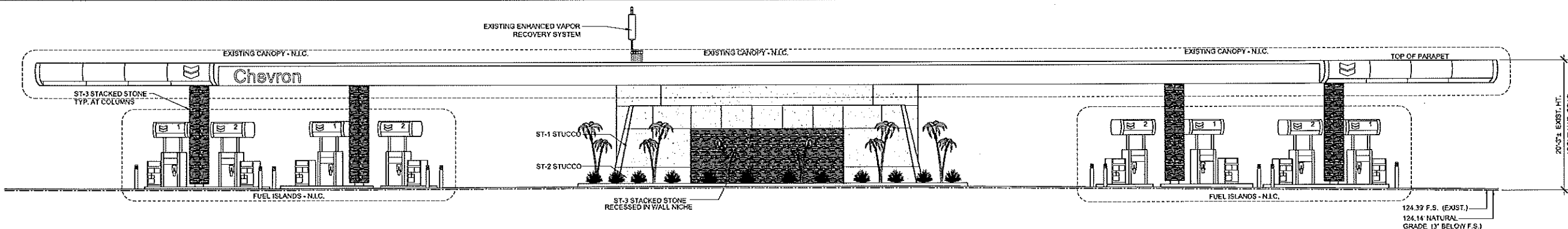
(B) PROPOSED WEST ELEVATION (SIDE)  
1/8"=1'-0"



(C) PROPOSED EAST ELEVATION (SIDE)  
1/8"=1'-0"



(D) PROPOSED SOUTH ELEVATION (REAR)  
1/8"=1'-0"



(E) PROPOSED NORTH ELEVATION (FRONT)  
1/8"=1'-0"

General Notes

- The design shown on this drawing is the property of SDA and is not to be used or modified in whole or in part without the written consent of SDA.
- Do not alter or modify in any way without the written consent of SDA.
- Do not duplicate.
- All dimensions are in feet unless noted otherwise.
- The drawing is prepared for the purpose of design only. It is based on the information and data furnished to SDA and is not to be used for any other purpose.
- This drawing and all other drawings by SDA are based on a preliminary survey of the site.

Rev.	Date	Comments	Initial
1	10/21/05	ISSUE TO IRVINE COMPANY	J.B.
2	10/21/05	RE-DESIGN TO IRVINE COMPANY	J.B.
3	10/21/05	RE-DESIGN TO IRVINE COMPANY	J.B.
4	10/21/05	RE-DESIGN TO IRVINE COMPANY	J.B.
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100	10/21/05	RE-DESIGN TO IRVINE COMPANY	J.B.

Key Plan

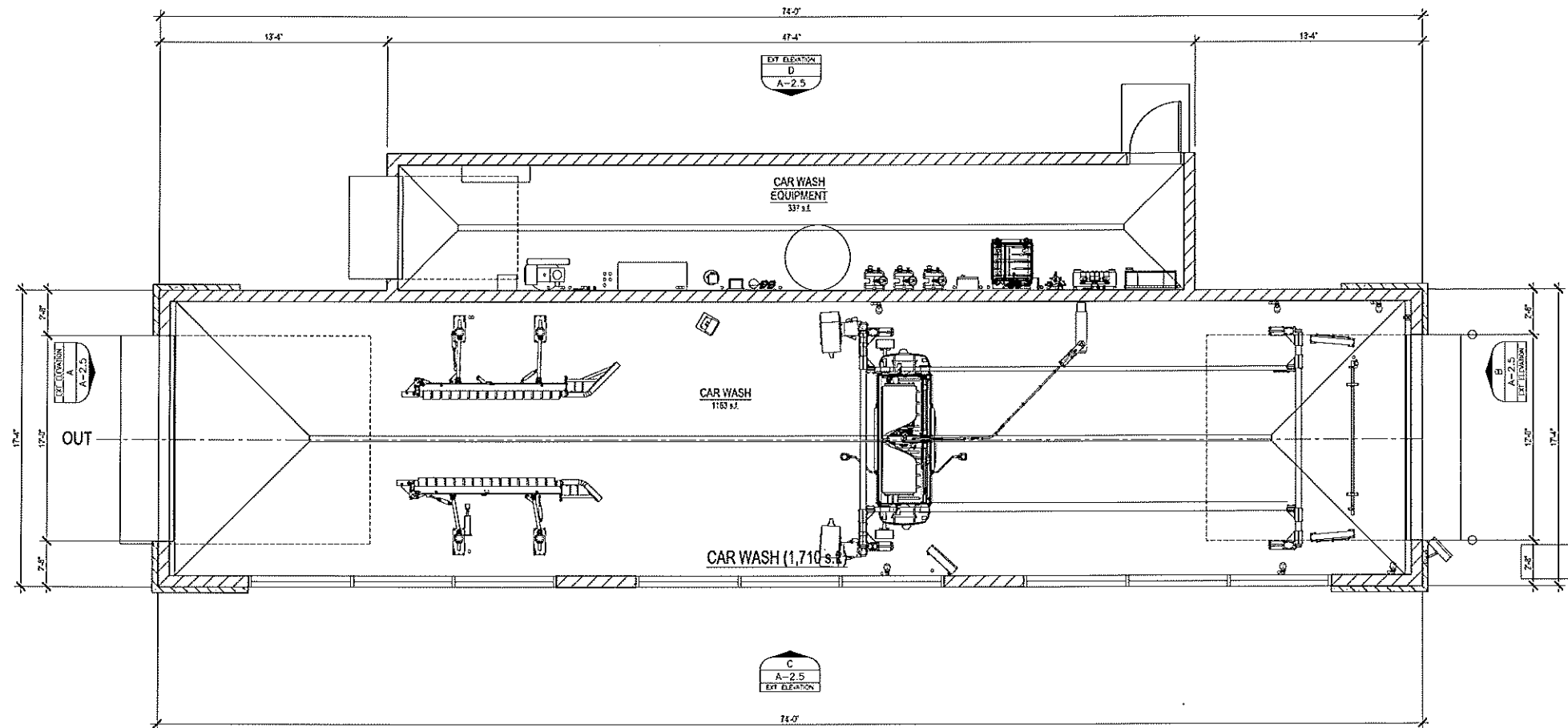
This drawing has been converted from a metric format. per / no

SDA Partnership USA, Inc.  
Architecture Engineering Interior Design Retail Consulting Graphic Design  
10000 Jamboree Rd., Suite 100, Newport Beach, CA 92660  
Tel: 949.261.1000 Fax: 949.261.1001

Project  
CHEVRON STATION #9-3045  
1550 JAMBOREE RD.  
NEWPORT BEACH, CA 92660

Drawing Title  
PROPOSED EXTERIOR ELEVATIONS

Job No.	USA0254	Dwg No	Rev
Scale	1/8"=1'-0"	Date	02/23/11
Drawn		Checked	



**A** PROPOSED FLOOR PLAN - CAR WASH  
1/4"=1'-0"

General Notes:  
1. The design is based on the existing conditions of the site, and is not to be used as a basis for any other design or construction.  
2. The design is based on the existing conditions of the site, and is not to be used as a basis for any other design or construction.  
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7. The design is based on the existing conditions of the site, and is not to be used as a basis for any other design or construction.

Rev	Date	Comments	Initial
1	05/08	ISSUE TO RYNE COMPANY	J.B.
2	06/08	RE-ISSUE TO RYNE COMPANY	J.B.
3	08/08	RE-ISSUE TO RYNE COMPANY	J.B.
4	09/08	ANS SUBMITTAL	J.W.
5	10/08	ANS SUBMITTAL	J.B.
6	11/08	RE-ISSUE TO RYNE COMPANY	SPD
7	12/08	ANS SUBMITTAL	SPD
8	01/09	ANS SUBMITTAL	SPD
9	02/09	CUP RE-SUBMITTAL	SPD

Key Plan  
This drawing has been corrected from a master format. See page 1 of 10.

**SDA** SDA Partnership USA, Inc.  
Architecture/Engineering/Interior Design/Real Estate/Construction Management  
10000 Wilshire Blvd., Suite 200, Los Angeles, CA 90024  
Tel: 310.754.0000 Fax: 310.754.0001

Project  
CHEVRON STATION #9-3045  
1650 JAMBOREE RD.  
NEWPORT BEACH, CA 92660

Drawing Title  
PROPOSED FLOOR PLAN  
CAR WASH

Job No	Dwg No	Rev
USA0254	A2.4	
Scale	Date	Drawn
1/4"=1'-0"	02/23/11	Checked











